

## A C T

of 26 January 2023

### **amending the Election Code and certain other acts<sup>1)</sup>**

**Article 1.** The Act of 5 January 2011 - Election Code (Journal of Laws of 2022, items 1277 and 2418) shall be amended as follows:

1) in Article 5:

a) point 10 shall read as follows:

“10) PESEL personal identification number - should be understood as PESEL personal identification number assigned in accordance with the Act of 24 September 2010 on the Population Register (Journal of Laws of 2022, item 1191);”

b) point 13 shall be repealed,

c) point 14 shall be added and read as follows:

“14) address of residence - should be understood as the address at which a person actually resides permanently and at this address is included in the Central Register of Voters in a permanent electoral precinct according to the registered address for permanent residence or the address of permanent residence.”;

2) after Article 8, Article 8a shall be added and read as follows:

“Article 8a. § 1. In the case of failure to notify the establishment of an electoral committee in the elections or failure to register a list of candidates or a candidate in the elections, the electoral officer of the electoral committee shall destroy the citizens’ signature list cards according to protocol.

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1) This Act amends the following acts: the Act of 27 June 1997 on Political Parties, the Act of 21 August 1997 on Restrictions on Conduct of Business Activities by Persons Performing Public Functions, the Act of 24 September 2000 on the National Criminal Register, the Act of 15 September 2000 on Local Referendum, the Act of 14 March 2003 on Nationwide Referendum, the Act of 18 October 2006 on the Disclosure of Information on Documents of State Security Agencies from the period between the years 1944-1990 and the Content of such Documents, the Public Finance Act of 27 August 2009 and the Act of 24 September 2010 on the Population Register.

endorsing the establishment of an electoral committee or the registration of a list of candidates or a candidate.

§ 2. Destruction of the cards referred to in § 1 should take place no later than 3 days after the closing date for notification of the establishment of an electoral committee or registration of a list of candidates or a candidate.

§ 3. A protocol confirming the destruction shall be drawn up regarding the activity referred to in § 1, which the electoral officer shall immediately forward to the electoral body competent to accept the notification of the establishment of the electoral committee or to the committee competent to accept the registration of a list of candidates or a candidate.”;

3) in Article 10 in § 1 in point 3, subpoint a shall read as follows:

“a) municipal councillor - a Polish citizen, a citizen of the European Union who is not a Polish citizen, and a citizen of the United Kingdom of Great Britain and Northern Ireland, who is at least 18 years of age on election day and permanently resides in the area of this municipality,”;

4) in Article 11, § 3 shall read as follows:

“§ 3. A citizen of the European Union who is not a Polish citizen and a citizen of the United Kingdom of Great Britain and Northern Ireland who is deprived of the eligibility for election in the Member State of the European Union of which he is a citizen or in the United Kingdom of Great Britain and Northern Ireland, respectively, shall not be eligible for election.”;

5) in Article 12:

a) in § 3, the first sentence shall read as follows:

“A permanent electoral precinct covers between 200 and 4,000 residents.”

b) § 5 shall read as follows:

“§ 5. In elections to the municipal council or in the election of the mayor, a separate electoral precinct in the unit referred to in § 4, located in the area of the municipality where the elections are held, shall be established if on election day there will be at least 15 voters included in the Central Register of Voters in permanent electoral precincts in the area of the municipality where the unit is located.”,

c) after § 5, § 5a and 5b shall be added and read as follows:

“§ 5a. In elections to the county council, a separate electoral precinct in the unit referred to in § 4, located in the area of the county in which the elections

are held, shall be established if on election day there will be at least 15 voters included in the Central Register of Voters in permanent electoral precincts of municipalities located in the area of this county.

§ 5b. In elections to the regional council, a separate electoral precinct in the unit referred to in § 4, located in the area of the region where the elections are held, shall be established if on election day there will be at least 15 voters included in the Central Register of Voters in permanent electoral precincts of municipalities located in that region.”,

d) § 10 shall read as follows:

“§ 10. The establishment of separate electoral precincts shall take place no later than the 34th day before election day.”,

e) in § 11, the second sentence shall be added and read as follows:

“The boundaries of electoral precincts shall be determined taking into account the National Official Register of Territorial Division referred to in Article 47 of the Act of 29 June 1995 on Public Statistics (Journal of Laws of 2022, items 459 and 830).”,

f) § 13 shall read as follows:

“§ 13. Voters, in the number of at least 15, shall be entitled to lodge a complaint with the Supreme Administrative Court, against the decisions of the electoral commissioner, referred to in § 2, 4 and 9, within 3 days from the date of making them public. The complaint shall be lodged through the electoral commissioner. The electoral commissioner shall, within 2 days, forward the complaint to the Supreme Administrative Court, together with the complete and orderly file of the case and the response to the complaint, as well as the information on the voting rights of the complainants, in paper or electronic form. The Supreme Administrative Court shall examine the case in a closed session in a panel of three judges no later than 5 days from the date of its receipt and shall issue a decision, delivering it immediately to the complainants and the electoral commissioner. There is no legal remedy against the decision of the Supreme Administrative Court. The provision of Article 420 § 3 shall apply.”,

g) § 14 shall be repealed,

h) § 15 shall be added and read as follows:

“§ 15. The decision of the electoral commissioner on the establishment of electoral precincts shall be the basis for the competent director of the delegation of the National Electoral Office to enter the data on electoral precincts referred

to in § 11 into the Central Register of Voters.”;

6) in Article 13:

a) after § 1a, § 1aa shall be added and read as follows:

“§ 1aa. The electoral commissioner may divide a permanent electoral precinct ex officio, at the request of at least 5% of the voters included in the Central Register of Voters in that electoral precinct, or at the request of the mayor, if it is possible to set up premises for a precinct electoral commission in the area of the permanent electoral precinct established as a result of the division. The provision of Article 12 § 3 shall apply.”;

b) § 1b shall read as follows:

“§ 1b. On the occurrence of circumstances referred to in § 1 and § 1aa, the mayor shall immediately inform the electoral commissioner.”;

c) § 3 shall read as follows:

“§ 3. For changes in the division into permanent electoral precincts, the provisions of Article 12

§ 11-15 shall apply accordingly.”;

7) in Article 13a, § 3 shall read as follows:

“§ 3. For changes in the seats of precinct electoral commissions the provisions of Article 12 § 11-13 and 15 shall apply accordingly, however, in the case referred to in § 2a, the provision of Article 12 § 13 shall not apply.”;

8) Article 13b shall read as follows:

“Article 13b. If in the premises where voting took place in the last elections to the Sejm and the Senate, elections for the President of the Republic of Poland, elections to the European Parliament in the Republic of Poland, or elections to local government bodies held in connection with the end of the term of office of the councils, no voting takes place on election day or where a precinct electoral commission competent for a precinct with changed boundaries is seated, on election day the mayor shall place, in an easily accessible place at the entrance to that premises, a notice enabling voters to reach the correct polling station.”;

9) in Article 14, § 4 shall be added and read as follows:

“§ 4. Implementing regulations issued under § 2, shall be the basis for the minister responsible for foreign affairs to enter data on electoral precincts for Polish citizens residing abroad into the Central Register of Voters.”;

10) in Article 15, § 5 shall be added and read as follows:

“§ 5. Implementing regulations issued under § 3, shall be the basis for the minister responsible for computerisation to enter data on electoral precincts for voters aboard Polish sea vessels into the Central Register of Voters.”;

11) the words “for conducting voting in a precinct” used in Article 16 in § 1 in point 3, in Article 26 in § 12, in Article 37c in § 2, in Article 39 in § 1, in § 4 in the first sentence and in § 7 in the first and third sentence, in Article 40 in § 4 in the introduction to the enumeration, in § 3 in the first sentence, in § 4 and 6, in Article 49 in § 1-3, in Article 51 in § 2 in the introduction to the enumeration and in § 3 in the first sentence, in Article 52 in § 1, 2a, in § 3 in the first sentence and in § 6a, in Article 53e in § 9, in Article 53g in § 1a, 4 and 6a, in Article 53h in § 1 and 4-6, in Article 53i in § 1, in Article 53j in § 1 in point 2, in § 3 in points 1 and 2, in Article 58 in § 1 in the second sentence and in § 3, in Article 59 in § 2, 3, and 5, in Article 72 in § 2, in Article 73, in Article 80 in § 1 and 2, in Article 162 in § 1 in point 3, in Article 223, in Article 266, in Article 307, in Article 437 in § 1, in Article 452 in § 1, in Article 458a, in Article 461 in § 1 in point 1, in Article 467a, and in Article 484 shall be deleted”;

12) in Article 16:

a) in § 1, the second sentence shall read as follows:

“One copy of the announcement shall be forwarded immediately to the electoral commissioner.”,

b) in § 3, the second sentence shall read as follows:

“The execution of this obligation should take place no later than the 20th day before election day.”;

13) in Section I the title of Chapter 4 shall read as follows:

“Central Register of Voters”;

14) Article 18 shall read as follows:

“Article 18. § 1. Central Register of Voters covers:

- 1) persons with the right to elect;
- 2) persons who are 17 years of age or older;
- 3) persons deprived of the right to elect for the reasons specified in Article 10§ 2;

- 4) information on permanent electoral precincts and constituencies.
  - § 2. The Central Register of Voters confirms the right to elect.
  - § 3. Central Register of Voters serves to:
    - 1) compile electoral registers;
    - 2) compile lists of persons entitled to participate in the referendum;
    - 3) determine the number of voters;
    - 4) verify the right to vote or the right to participate in a referendum in connection with the verification of signatures submitted to the competent authority in connection to holding a referendum or the registration of a legislative initiative by citizens or a civic resolution initiative by residents of a municipality, county or a region;
  - 5) determine the number of residents for the purposes specified in Article 12 § 3, Article 182 § 1a, Article 202 § 1, Article 203 § 4, Article 260 § 3, Article 261 § 1 and 2, Article 373 § 2, Article 375 § 1, Article 378 § 3, Article 419 § 2, Article 463 § 1, Article 476 § 4 and Article 478 § 4;
  - 6) implement other tasks arising from the provisions of the Code, the Act of 15 September 2000 on Local Referendum (Journal of Laws of 2019, item 741), the Act of 14 March 2003 on Nationwide Referendum (Journal of Laws of 2020, item 851) and the Act of 24 June 1999 on the Implementation of Legislative Initiative by Citizens (Journal of Laws of 2018, item 2120).
- § 4. The minister responsible for computerisation shall maintain the Central Register of Voters in the teleinformatic system, as well as ensure its maintenance and development in order to implement the tasks set forth in the Code, including:
  - 1) ensuring protection against unauthorized access to the Central Register of Voters;
  - 2) ensuring the integrity of the data in the Central Register of Voters;
  - 3) ensuring the accessibility of the teleinformatic system in which the Central Register of Voters is maintained to entities that process data in the register;
  - 4) preventing damage to the teleinformatic system in which the Central Register of Voters is maintained;
  - 5) determining the security rules for processed data, including personal data;
  - 6) determining the rules for reporting breaches of personal data protection;
  - 7) ensuring accountability of actions carried out on data collected in the Central Register of Voters;
  - 8) ensuring the accuracy of data processed in the Central Register of Voters.

§ 5. The minister responsible for internal affairs shall ensure the operation of a separate network allowing access to the Central Register of Voters to the authorities referred to in § 8 points 1-4.

§ 6. The minister responsible for foreign affairs shall ensure the operation of a separate network allowing consuls to access the Central Register of Voters.

§ 7. The minister responsible for computerisation shall execute the duties referred to in Article 15 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, as amended<sup>2)</sup>).

§ 8. In order to implement the tasks set forth in the Code, the Central Register of Voters is accessed by:

- 1) mayors;
- 2) the National Electoral Commission and electoral commissioners, through the National Electoral Office;
- 3) the minister responsible for computerisation;
- 4) the minister responsible for foreign affairs;
- 5) consuls.

§ 9. Verification of the right to elect of residents of the county or region, in the case of tasks carried out by the county or region electoral commission and by the county or region authorities, is carried out through the mayor.

§ 10. Updating of data collected in the Central Register of Voters by the municipality is a task delegated to the municipality.

§ 11. Records in the system logs (logs) of the Central Register of Voters shall be kept for 5 years from the date of their creation.”;

- 15) after Article 18, Articles 18a-18e shall be added and read as follows:

“Article 18a. § 1. Part A of the Central Register of Voters collects the data of Polish citizens referred to in Article 18 § 1 points 1-3, in the scope including:

- 1) name(s);
- 2) surname;
- 3) PESEL personal identification number;
- 4) date of birth;
- 5) registered address for permanent residence;

- 6) address of permanent residence registered in connection with the filing of an application under Article 19;
- 7) address of residence registered in connection with the filing of an application under Article 28, Article 28a, Article 30, Article 34, Article 35 or in connection with the inclusion of a given voter in the list drawn up under Article 29;

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2) Amendments to the said Regulation were announced in OJ L 127, 23.5.2018, p. 2 and OJ L 74, 4.3.2021, p. 35.



- 8) information on deprivation of the right to elect for the reasons specified in Article 10 § 2, the period of deprivation of the right to elect, the designation of the court or the State Court, the file reference, the date of issuance and the date on which the decision under which the deprivation of the right to elect occurred became legally binding;
- 9) information about the constituency appropriate for elections to the Sejm and the Senate, elections to the European Parliament in the Republic of Poland and elections to bodies that constitute local government units;
- 10) information about the electoral precinct appropriate for the address, referred to in points 5 or 6;
- 11) information about the electoral precinct where the voter is to be included in the electoral register drawn up for the given election, if it is a precinct other than the one indicated in point 10;
- 12) information about registration of intention to vote in elections to the European Parliament held by another European Union Member State.

§ 2. The data referred to in § 1 points 1-5 are transferred to the Central Register of Voters from the PESEL register after the person turns 17 years old.

§ 3. Part B of the Central Register of Voters collects data of European Union citizens who are not Polish citizens and data of citizens of the United Kingdom of Great Britain and Northern Ireland who are entitled to exercise their voting rights in the Republic of Poland, in the scope including:

- 1) name(s);
- 2) surname;
- 3) PESEL personal identification number;
- 4) date of birth;
- 5) nationality;
- 6) passport or other identity document number;
- 7) address of permanent residence registered in connection with the filing of an application under Article 19a;
- 8) address of residence registered in connection with the filing of an application under Article 28, Article 28a, Article 34, Article 35 or in connection with the inclusion of a given voter in the list drawn up pursuant to Article 29;
- 9) information on deprivation of the right to elect for the reasons specified in Article 10 § 2, the period of deprivation of the right to elect, the designation of the court, the file reference, the date of issuance and the date on which the decision under which the deprivation of the right to elect occurred became legally binding;

- 10) information about the constituency appropriate for elections to the European Parliament in the Republic of Poland and elections to municipal councils;
- 11) information on the electoral precinct appropriate for the address of permanent residence indicated in the application referred to in § 19a;
- 12) information about the electoral precinct where the voter is to be included in the electoral register drawn up for the given election, if it is a precinct other than the one indicated in point 11;
- 13) information about registration of intention to vote in elections to the European Parliament held by another European Union Member State.

§ 4. The Central Register of Voters in the part concerning residents processes data of Polish citizens under 17 years of age, as well as European Union citizens who are not Polish citizens and citizens of the United Kingdom of Great Britain and Northern Ireland not included in Part B of the register in the scope including the registered address for permanent residence.

§ 5. The registered address referred to in § 4 is transferred to the Central Register of Voters from the PESEL register.

Article 18b. § 1. The data referred to in Article 18a § 1 point 6 and § 3 point 1-7 shall be entered into the Central Register of Voters by the mayor directly in the teleinformatic system.

§ 2. The data referred to in Article 18a § 1 point 7 and § 3 point 8 shall be entered into the Central Register of Voters by the body compiling the electoral register or the mayor of the Śródmieście district of the capital city of Warsaw in the case referred to in Article 34, directly in the teleinformatic system.

§ 3. The data referred to in Article 18a § 1 point 12 and § 3 point 13 shall be entered into the Central Register of Voters by the minister responsible for computerisation directly in the teleinformatic system.

Article 18c. § 1. The data referred to in Article 18a § 1 shall be deleted immediately in the event of:

- 1) death;
- 2) loss of Polish citizenship.

§ 2. Deletion of data in the cases referred to in § 1 shall be carried out on the basis of information provided by the PESEL register on the registration of the event in accordance with Article 10 paragraph 3 of the Act of 24 September 2010 on the Population Register.

§ 3. In the event of a change in the data referred to in Article 18a § 1 points 1-5, in the PESEL register they are automatically updated in the Central Register of Voters.

Article 18d. § 1. The data referred to in Article 18a § 3 shall be deleted immediately in the event of:

- 1) death;
- 2) loss of citizenship of a European Union Member State other than the Republic of Poland or citizenship of the United Kingdom of Great Britain and Northern Ireland;
- 3) submission of an application for deletion from the Central Register of Voters.

§ 2. Deletion of data in the cases referred to in § 1 points 1 or 2 shall be carried out on the basis of information provided by the PESEL register on the registration of the event in accordance with Article 10 paragraph 3 of the Act of 24 September 2010 on the Population Register.

§ 3. In the event of a change in the data referred to in Article 18a § 3 points 1-6, in the PESEL register they are automatically updated in the Central Register of Voters.

Article 18e. Article 11 of the Act of 24 September 2010 on the Population Register shall apply to verify the accuracy of personal data contained in the Central Register of Voters and to ascertain the inconsistency of such data with the facts.”;

- 16) Article 19 shall read as follows:

“Article 19. § 1. In the Central Register of Voters, one can be included in only one permanent electoral precinct.

§ 2. In Part A of the Central Register of Voters, voters registered for permanent residence in the area of a municipality are included ex officio in the permanent electoral precinct appropriate for the registered address for permanent residence.

§ 3. In Part A of the Central Register of Voters, voters residing permanently in the area of a municipality without registration for permanent residence in that municipality are included in the permanent electoral precinct appropriate for the address of permanent residence, if they submit an application to this effect to the municipality office appropriate for their place of residence.

§ 4. The provision of § 3 shall apply accordingly to a voter residing permanently in the area of the municipality at an address other than the registered address for permanent residence in the municipality.

§ 5. The application referred to in § 3 shall contain: surname, name(s), PESEL personal identification number of the applicant and a statement as to the address of permanent residence.

§ 6. In the application referred to in § 3, the voter may include an e-mail address or mobile phone number, as well as information on consent to the transfer of data to

the register of contact information of natural persons.

§ 7. The application referred to in § 3 may be submitted in writing recorded in:

- 1) paper form, bearing a handwritten signature;
- 2) electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature, using an electronic service made available by the minister responsible for computerisation, after authentication of the applicant in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks (Journal of Laws of 2023, item 57).

§ 8. A voter included in a permanent electoral precinct at his request, who is subsequently registered for permanent residence at another address, shall be included ex officio in the permanent electoral precinct appropriate for the registered address for permanent residence.

§ 9. The provisions of § 1-8 shall apply accordingly to a voter not residing anywhere, staying permanently in the area of the municipality, with the proviso that this voter, in place of his address of permanent residence, shall provide an address at which it will be possible for employees of the municipality office to contact him.”;

- 17) after Article 19, Article 19a shall be added and read as follows:

“Article 19a. § 1. In Part B of the Central Register of Voters, voters residing permanently in the area of a municipality are included in the permanent electoral precinct appropriate for the address of permanent residence, if they submit an application to this effect to the municipality office appropriate for their place of residence.

§ 2. The application referred to in § 1 shall contain: surname, name(s), nationality, passport or other identity document number of the applicant, PESEL personal identification number of the applicant and a statement as to the address of permanent residence.

§ 3. In the application referred to in § 1, the voter may include an e-mail address or mobile phone number, as well as information on consent to the transfer of data to the register of contact information of natural persons.

§ 4. If, at the time of filing the application referred to in § 1, the applicant does not have a PESEL personal identification number, in order to have PESEL personal identification number assigned, the application shall additionally contain the data referred to in Article 8 point 9 and 24a of the Act of 24 September 2010 on the Population Register, and, if available, the data referred to in Article 8 points 3-5, 7, 8, 12 and 13 of that Act.

§ 5. The application referred to in § 1 may be submitted in writing recorded in:

- 1) paper form, bearing a handwritten signature;
- 2) electronic form, bearing a qualified electronic signature or a trusted profile signature, using an electronic service made available by the minister responsible for computerisation, after authentication of the applicant in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks.

§ 6. A voter whose data is included in Part B of the Central Register of Voters may be deleted from the Central Register of Voters at his request submitted to the municipality office appropriate for his place of residence.

§ 7. The application referred to in § 6 shall include: surname, name(s) and PESEL personal identification number of the applicant.

§ 8. The application referred to in § 6 may be submitted in writing recorded in:

- 1) paper form, bearing a handwritten signature;
- 2) electronic form, bearing a qualified electronic signature or a trusted profile signature, using electronic means of communication in the manner specified in the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks.

§ 9. In case of discrepancies between the data in the application referred to in § 1 and the data in the PESEL personal identification number, the mayor shall clarify the discrepancies within 7 days.

§ 10. The provisions of § 1-9 shall apply accordingly to a voter not residing anywhere, staying permanently in the area of the municipality, with the proviso that this voter, in place of his address of permanent residence, shall provide an address at which it will be possible for employees of the municipality office to contact him.”;

18) in Article 20, § 1-4 shall read as follows:

“§ 1. The decision on inclusion or refusal to include in the permanent electoral precinct shall be issued by the mayor within 5 days from the date of filing the application referred to in Article 19 § 3 and Article 19a § 1, or within 5 days from the date of clarification of discrepancies in accordance with the procedure set forth in Article 19a § 9.

§ 2. Prior to issuing the decision referred to in § 1, the mayor is obliged to verify that the person applying for inclusion in the permanent electoral precinct meets the conditions for permanent residence at the address indicated in the application.

§ 3. A positive decision shall result in the inclusion of the voter in the

permanent electoral precinct. The decision refusing inclusion in the permanent electoral precinct, together with the justification, shall be delivered immediately to the applicant.

§ 4. A decision refusing inclusion in a permanent electoral precinct may be appealed to the locally competent district court.

The appeal shall be filed through the mayor within 3 days from the date of delivery of the decision. The mayor shall immediately forward the appeal to the court together with the decision and the case file. The mayor may also immediately amend or revoke his decision if he finds the appeal wholly justified.”;

19) Articles 21-23 shall read as follows:

“Article 21. § 1. Information on the deprivation of the right to elect for the reasons specified in Article 10 § 2 shall be entered in the Central Register of Voters on the basis of notices from the court or the State Tribunal submitted to the municipalities.

§ 2. The entry of the information referred to in § 1 shall be made by the mayor competent for the seat of the court delivering the decision resulting in the deprivation of the right to elect, or by the mayor of the Śródmieście district of the capital city of Warsaw with respect to the decision of the State Tribunal.

§ 3. In the case of temporary deprivation of the right to elect, voters are not included in the electoral registers until the expiry of the reason for deprivation of the right to elect.

§ 4. Entry of information into the Central Register of Voters on the expiry of the reason for deprivation of the right to elect shall be made by the mayor competent for the seat of the court providing this information, or by the mayor of the Śródmieście district of the capital city of Warsaw with respect to the decision of the State Tribunal.

§ 5. The entry of the information referred to in § 4 shall result in the deletion from the Central Register of Voters of information on the deprivation of the right to elect.

§ 6. The Minister of Justice, after consulting the National Electoral Commission, shall determine, by ordinance, the procedures and dates for the submission of notices of deprivation of the right to elect and the period of deprivation of a person’s right to elect and the expiry of the reason for deprivation of the right to elect, as well as their templates, to ensure the ongoing updating of data in the Central Register of Voters on persons deprived of the right to elect and those with the right to elect.

Article 22. § 1. A voter may file an appeal with the locally competent mayor about irregularities in the Central Register of Voters if the voter was not included in the Central Register of Voters or was not included in any electoral precinct or was incorrectly included in an electoral precinct.

§ 2. The appeal is filed:

- 1) verbally to the protocol,
- 2) in writing recorded in:
  - a) paper form, bearing a handwritten signature,
  - b) electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature, using electronic means of communication in the manner specified in the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks

- to the municipality office appropriate for the place of registration for permanent residence or residence.

§ 3. The mayor is obliged to consider the appeal within 3 days from the date of its filing and issue a decision on it.

§ 4. In order to consider the appeal, the data of the voter filing the appeal may be verified in the PESEL register.

§ 5. The decision, together with the justification, shall be immediately delivered to the voter filing the appeal.

§ 6. A voter filing the appeal may bring a case, through the mayor to the locally competent district court, against a decision that rejects the appeal or results in deletion from the electoral precinct, within 3 days of delivery of the decision. The provision of Article 20 § 4 and 5 shall apply accordingly.

Article 23. § 1. Data on citizens of the European Union who are not Polish citizens, exercising their voting rights in the Republic of Poland in connection with the filing of the application referred to in Article 19a § 1, shall be transferred by the minister responsible for computerisation to the competent authorities of the European Union Member States no later than 5 days before the election day to the European Parliament in the Republic of Poland.

§ 2. The data transferred under § 1 shall include the data referred to in Article 18a § 3 points 1, 2 and 4-6.

§ 3. The minister responsible for computerisation shall send to the competent authority of the European Union Member State information on deletion from the Central Register of Voters of a person if he has previously sent to this authority the information referred to in § 1.

§ 4. The minister responsible for computerisation shall provide the competent

authorities of the European Union Member States, upon their request, with data concerning Polish citizens wishing to exercise their voting rights on the territory of another European Union Member State, in the scope necessary to exercise such rights.

§ 5. The information referred to in § 1-4 shall be provided by means of electronic communication.”;

20) Article 24 and Article 25 shall be repealed;

21) after Article 25, Article 25a shall be added and read as follows:

“Article 25a. § 1. For the purpose of organizing elections to the bodies of a subsidiary and lower-tier units referred to in Article 35 of the Act of 8 March 1990 on Local Government (Journal of Laws of 2023, item 40), prior to the organization of these elections, from the Central Register of Voters the following data may be transferred to the teleinformatic system maintained by the municipality:

- 1) the data referred to in Article 18a § 1 and 3, concerning persons who have fulfilled the obligation to register in the municipality or have an address of permanent residence in the municipality;
- 2) the numbers and boundaries of permanent electoral precincts established for that municipality and the numbers and boundaries of constituencies established for municipal council elections.

§ 2. The data referred to in § 1 shall be made available by means of data teletransmission, upon submission of an application by the mayor to the minister responsible for computerisation. The mayor shall attach to the application a statement confirming that the municipality has technical and organizational safeguards appropriate for the processing of personal data, in particular, to prevent access by unauthorized persons to the processing of personal data and the use of data contrary to the purpose for which they are obtained, as well as documents indicating the date of the planned elections.

§ 3. The data referred to in § 1 shall be deleted by the municipality from the teleinformatic system once the elections to the bodies of a subsidiary and lower-tier units have been held.”;

22) in Article 26, § 1-11 shall read as follows:

“§ 1. A voter with the right to elect shall be included in the electoral precinct register compiled in the Central Register of Voters in the permanent electoral



precinct in which the person is included ex officio or upon application.

§ 2. The electoral register shall be compiled and updated by the municipality as a task delegated separately for each ordered election, subject to Article 34 § 1 and Article 35 § 1.

§ 3. The electoral register shall be used for voting in the ordered elections.

§ 4. A voter may be included in only one electoral register.

§ 5. The electoral register shall consist of:

- 1) Part A - for elections to the Sejm and Senate, elections of the President of the Republic of Poland, and elections to county councils and regional councils;
- 2) Part A and Part B - for elections to the European Parliament in the Republic of Poland, elections to municipal councils and in elections of mayors.

§ 6. Part A of the electoral register shall include the data of Polish citizens in the scope including:

- 1) surname;
- 2) name(s);
- 3) PESEL personal identification number;
- 4) address of residence.

§ 7. Part B of the electoral register shall include the data of the European Union citizens who are not Polish citizens, who are entitled to exercise their voting rights in the elections ordered in the Republic of Poland in the scope including:

- 1) surname;
- 2) name(s);
- 3) PESEL personal identification number;
- 4) nationality;
- 5) address of residence.

§ 8. In elections to municipal councils and in the election of mayors, the provision of § 7 shall also apply accordingly to citizens of the United Kingdom of Great Britain and Northern Ireland who are entitled to exercise voting rights in the Republic of Poland.

§ 9. The electoral register shall be compiled no later than the second day before election day in two printed copies, separately for each electoral precinct. After the lapse of the third day before election day, the register compiled in the Central Register of Voters shall be compiled as of the third day before election day.

§ 10. As of the 44th day before election day, the Central Register of Voters shall generate automatically, but not more often than once every 24 hours, the electoral registers for each electoral precinct in electronic form, which shall be made available to municipalities by the minister responsible for computerisation.

§ 11. If for technical reasons, the municipality is unable to compile an electoral register in accordance with § 9 to conduct voting in ordered elections, the last available register shall be used in accordance with § 10.”;

23) Article 28 shall read as follows:

“Article 28. § 1. A voter may change the voting place in a given election. The application for a change of voting place shall be submitted in the period from the 44th day before election day to the 3rd day before election day.

§ 2. The provision of § 1 shall not apply in elections to the bodies that constitute local government units and elections of mayors.

§ 3. In by-elections to the Senate, the provision of § 1 shall apply only to voters residing permanently in the area of the constituency in which the by-election is held.

§ 4. The application referred to in § 1 may be submitted in writing recorded in:

- 1) paper form, bearing the voter’s own signature to the municipality office appropriate for the selected permanent electoral precinct in the area of the municipality where the voter will be present on election day;
- 2) electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature, using an electronic service made available by the minister responsible for computerisation, after authentication of that person in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks.

§ 5. The application referred to in § 1 shall contain the surname, name(s), citizenship, PESEL personal identification number of the applicant and the address of residence on election day.

§ 6. Submission of an application for a change of voting place shall result in the inclusion of the voter in the electoral register in the electoral precinct appropriate for the address of stay and deletion from the register in the permanent electoral precinct appropriate for the registered address for permanent residence or the address of permanent residence.

§ 7. In the election of the President of the Republic of Poland, in which a re-vote is conducted, during the period from the 13th and the 3rd day before the re-vote, the voter may change the voting place upon his application filed in the manner specified in § 4. The provision of § 6 shall apply accordingly.”;

24) after Article 28, Article 28a shall be added and read as follows:

“Article 28a. § 1. A voter with a disability is included, upon application for a change of voting place, in the electoral register in the permanent electoral precinct

selected by the voter of the municipality appropriate for the registered address for permanent residence or the address of permanent residence, where the premises for a precinct electoral commission are adapted to the needs of voters with disabilities if the premises for the precinct electoral commission appropriate for the registered address for permanent residence or the address of permanent residence of the voter do not meet these conditions. The provision of Article 28 § 1 and 4 -7 shall apply accordingly.

§ 2. In elections to bodies that constitute local government units, the application referred to in § 1 may only concern premises for a precinct electoral commission adapted to the needs of voters with disabilities located in the constituency appropriate for the registered address for permanent residence or the address of the voter's permanent residence. Only if there are no such premises in this constituency, the application may concern premises for a precinct electoral commission adapted to the needs of voters with disabilities located in another constituency.

§ 3. In elections of a mayor, where a re-vote is conducted, the provisions of § 1 and 2 shall apply accordingly, except that the application for a change of voting place shall be submitted between the 13th and 3rd day before the re-vote.”

25) in Article 29:

a) § 1 shall read as follows:

“§ 1. The electoral register in the units referred to in Article 12, § 4 and 7 shall be compiled on the basis of lists of persons who will be present there on election day, subject to § 2. The list shall include the name(s), surname and PESEL personal identification number of each person included in the list. The address of residence in the electoral register shall be included if the voter is included in the Central Register of Voters in the electoral precinct.”,

b) § 3 shall read as follows:

“§ 3. The lists of persons referred to in § 1 shall be submitted by the person in charge of the respective unit to the municipal office no later than the 3rd day before election day.”,

c) § 4 shall read as follows:

“§ 4. The list of persons who will remain in a penitentiary institution, detention center and the external ward of such an institution and detention center shall not include persons whose civic rights have been revoked by a legally binding court decision.”;

26) after Article 29, Article 29a shall be added and read as follows:

“Article 29a. Voters included in the register compiled by the municipality for a separate electoral precinct, voters referred to in Article 30, and voters included in the registers compiled under Articles 34 and 35 shall be deleted from the register in the permanent electoral precinct appropriate for the registered address for permanent residence or the address of permanent residence.”;

27) in Article 30, § 1 shall read as follows:

“§ 1. Soldiers performing military service or participating in military exercises, as well as lifeguards performing service in civil defence outside their address of permanent residence are included in the electoral register of the municipality where they serve on the application for a change of voting place. The provision of Article 28 shall apply accordingly.”;

28) Article 31 shall be repealed;

29) Article 32 shall read as follows:

“Article 32. § 1. A voter who changes his place of stay before election day shall receive, upon application to any municipal office, a certificate of right to vote at the place of stay on election day.

§ 2. The application referred to in § 1 shall be submitted in writing recorded in paper form, bearing a handwritten signature between the 44th day and the 3rd day before election day.

§ 3. The certificate on the right to vote issued by the mayor of the selected municipality shall be collected by the voter or a person authorized by the voter at the municipal office to which the application was submitted.

§ 4. A voter who has been issued a certificate of the right to vote shall be deleted from the electoral register in which he is included.

§ 5. The certificate on the right to vote shall contain the voter’s data:

- 1) name(s);
- 2) surname;
- 3) PESEL personal identification number;
- 4) address of residence;
- 5) indication of the elections the voter is entitled to vote in;
- 6) nationality, if the certificate is issued to a citizen of the European Union who is not a Polish citizen entitled to vote in elections to the European Parliament.

§ 6. The provision of § 1 shall not apply in elections to the bodies that constitute

local government units and elections of mayors.

§ 7. In by-elections to the Senate, the provision of § 1 shall apply only to voters residing permanently in the area of the constituency in which the by-election is held.

§ 8. In the election of the President of the Republic of Poland, a voter who changes his place of stay before election day shall, at his request, receive two certificates of the right to vote: one indicating the right to vote on the day of the first vote and another indicating the right to vote on the day of re-vote.

§ 9. In the election of the President of the Republic of Poland, a voter who changes his place of stay after the day of the first vote and before the re-vote shall receive, at his request, a certificate of the right to vote with a designation of the right to vote on the day of re-vote.”;

30) after Article 32, Articles 32a and 32b shall be added and read as follows:

“Article 32a. The minister responsible for computerisation, after consulting the National Electoral Commission, shall determine, by ordinance:

- 1) template of the electoral register,
- 2) the manner and procedure for compiling the electoral register and updating it,
- 3) template of the list of voters staying in medical institutions, social welfare homes, penitentiary institutions and detention centers and external wards of such institutions and detention centers, as well as student residences and student housing complexes in which electoral precincts have been established – taking into account the scope of data required in the electoral register and the need to ensure the protection of personal data.

Article 32b. The minister responsible for internal affairs, after consulting the National Electoral Commission, shall determine, by ordinance:

- 1) template of the application for inclusion in the electoral precinct referred to in Article 19 § 3,
- 2) template of the application for inclusion in the electoral precinct referred to in Article 19a § 1,
- 3) template of the application for deletion of a voter from the Central Register of Voters, as referred to in Article 19a § 6,
- 4) template of the application for change of voting place, as referred to in Article 28 § 1,
- 5) template of the certificate of the right to vote and the manner of recording these certificates

– taking into account the scope of data required in the applications and in the certificate, as well as the need to protect the certificate from forgery.”;

31) Article 33 shall be repealed;

32) in Article 34:

a) § 1 - 3 shall read as follows:

“§ 1. Voters aboard Polish sea vessels engaged in a voyage on election day shall be included in the electoral register compiled and updated by the vessel’s captain.

§ 2. An application for inclusion in the electoral register compiled by the vessel’s captain shall be submitted by the 5th day before election day. The application shall contain the surname and name(s), PESEL personal identification number and address of residence.

§ 3. The provisions of Article 32 § 1, 4, 5, 8 and 9 shall apply accordingly to voters aboard Polish sea vessels, except that the certificate shall be issued by the captain of the vessel who compiled the electoral register.”,

b) after § 3, § 3a and 3b shall be added and read as follows:

“§ 3a. The captain of the vessel shall notify the mayor of the Śródmieście district of the capital city of Warsaw about the inclusion of the voter in the electoral register. The notification shall contain the surname and name(s) and PESEL registration number of the voter.

§ 3b. The mayor of the Śródmieście district of the capital city of Warsaw shall immediately include information about the inclusion of the voter in the register of voters compiled by the captain of the vessel in the Central Register of Voters.”,

c) § 4 shall read as follows:

“§ 4. The minister responsible for the maritime economy, after consulting the National Electoral Commission, shall determine, by ordinance:

- 1) template of the electoral register referred to in § 1, and the manner of its compilation and updating,
- 2) template of the notification referred to in § 3a,
- 3) template of the certificate of the right to vote and the manner of issuing and recording these certificates

bearing in mind the importance of ensuring the verifiability of the data contained in the electoral register, the security of the entry and processing of this data, its transmission and receipt, the protection of the certificate from forgery and the principle that one can be included in only one electoral register.”;

33) in Article 35:

- a) § 1 and 2 shall read as follows:

“§ 1. Voters residing abroad and holding valid Polish passports or, in the case of European Union citizens who are not Polish citizens, holding valid passports or other identification documents, are included in the electoral register compiled and updated by the territorially competent consul.

§ 2. The inclusion of the voter in the electoral register compiled by the consul is made upon the voter’s application filed by the 5th day before election day:

- 1) in writing recorded in paper form, bearing a handwritten signature;
- 2) using an electronic service made available by the minister responsible for foreign affairs;
- 3) to the consul’s e-mail address as a digital reproduction of the application bearing a handwritten signature.”,

- b) after § 2, § 2a and 2b shall be added and read as follows:

“§ 2a. The application referred to in § 2 shall contain the surname and name(s), PESEL personal identification number, number of a valid Polish passport, the voter’s address abroad and contact information in the scope including e-mail address or mobile phone number. In the case of citizens of the European Union who are not Polish citizens, the application shall contain the number of another valid identity document, as well as the place and date of its issuance.

§ 2b. In order to verify the voter’s data, the consul shall have access to the data contained in the PESEL register referred to in the Act of 24 September 2010 on the Population Register and in the register of passport documents referred to in the Act of 27 January 2022 on Passport Documents (Journal of Laws, item 350 and 583).”

- c) § 3 and 4 shall read as follows:

“§ 3. The provisions of Article 32 § 1, 4, 5, 8 and 9 shall apply accordingly to voters referred to in § 1 except that the certificate shall be issued by the consul who compiled the electoral register.

§ 4. The minister responsible for foreign affairs, in consultation with the minister responsible for computerisation, after consulting the National Electoral Commission, shall determine, by ordinance:

- 1) template of the electoral register referred to in § 1 and the manner of its compilation and updating,

- 2) template of the certificate of the right to vote, the manner of issuing and recording these certificates

bearing in mind the importance of ensuring the verifiability of the data contained in the electoral register, the security of the entry and processing of this data, the protection of the certificate from forgery, the determination of the means of secure receipt of the certificate and the principle that one can be included in only one electoral register.”;

- 34) Article 36 shall read as follows:

“Article 36. § 1. A person whose data is processed in the Central Register of Voters shall be allowed to inspect the register in the scope including the data referred to in Article 18a § 1 and 3 concerning that person, using an electronic service made available by the minister responsible for computerisation, after authentication of that person in the manner specified in Article 20a § 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks, subject to § 2.

§ 2. The scope of the data made available concerning the person referred to in § 1 shall be extended during the period from the 44th day before the election day until the election day by the data processed in the electoral register, with the indication of the precinct in which the register was compiled.

§ 3. A person whose data is processed in the Central Register of Voters shall be allowed to download from the Central Register of Voters information about the data processed in the register, containing the data specified in § 1 or 2. The information is downloaded using an electronic service made available by the minister responsible for computerisation, after authentication in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks.

§ 4. Information downloaded using the service referred to in § 3 shall be affixed with an advanced electronic seal of the minister responsible for computerisation based on a qualified electronic seal certificate.

§ 5. A person whose data is processed in the Central Register of Voters, at the request of that person submitted in writing recorded in:

- 1) paper form, bearing a handwritten signature,
- 2) electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature, using electronic means of communication in the manner specified in the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks

- the mayor shall be obliged to make available information containing the data



specified in § 1 or 2, hereinafter referred to as “information on data”.

§ 6. In the case of ordered elections, a request for information on data may be submitted no later than the 5th day before election day.

§ 7. Information on data shall be provided, depending on the request of the applicant, in writing recorded in paper form, bearing a handwritten signature, or in electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature.

§ 8. Information on data may take the form of a printout from the teleinformatic system.

§ 9. In the period from the 44th day to the 5th day before election day, any voter may submit a written request recorded in paper form and bearing his own signature to the municipal office where the electoral register was compiled, for information on whether he is included in the register.

§ 10. The provision of the information referred to in § 9 is made by providing information that the person indicated in the application is included in the electoral register or is not included in the register. At the request of the applicant, the information provided shall be confirmed by the mayor in writing recorded in paper form, bearing a handwritten signature.

§ 11. The provisions of § 9 and 10 shall apply accordingly to other bodies that have compiled the electoral register.”;

35) in Section I the title of Chapter 5a shall read as follows:

“Activities to increase participation.”

36) in Article 37a:

a) in § 1:

– in the introduction to the enumeration:

– - after the words “a voter with disabilities” the words “and a voter who is at least 60 years of age on election day,” shall be added,

– - the words “entered in the Register of Voters in the municipality has” shall be replaced by “included in the Central Register of Voters in the electoral precinct in the municipality appropriate for the registered address for permanent residence or the address of permanent residence has”,

– in point 2, the words “with disabilities” shall be deleted,

– point 3 shall read as follows:

“3) the conditions for inclusion of the voter in the electoral register in the

electoral precinct where the premises referred to in Article 16 § 1 point 3 are located;”,

– after point 3, point 3a shall be added and read as follows:

“3a) the conditions for free transport referred to in Article 37e § 1;”,

b) in § 2, the words “with disabilities” shall be deleted,

c) in § 3, the words “with disabilities” shall be deleted;

37) in Article 37b, § 1 shall read as follows:

“§ 1. The National Electoral Commission shall post on the website of the portal referred to in Article 160 § 2 point 1 information on the rights vested in voters referred to in Article 37a § 1 under the Code, including in a form that takes into account the different types of disabilities as regards voters with disabilities.”;

38) in Article 37c:

a) in § 1, the words “with disabilities” shall be deleted,

b) in § 2, the words “voter with disabilities” shall be replaced by the words “voter referred to in Article 37a § 1.”;

39) Article 37d shall be repealed;

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40) Articles 37e-37g shall be added and read as follows:

“Article 37e. § 1. A voter with a significant or moderate degree of disability within the meaning of the Act of 27 August 1997 on Occupational and Social Rehabilitation and Employment of the Disabled and a voter who is at least 60 years of age on election day are entitled to free transport from:

- 1) the place of residence where the voter is included in the electoral register, or the place given in the application for inclusion in the electoral register of the municipality, as referred to in Article 28 § 1, to the polling station appropriate for the electoral precinct in whose electoral register the voter is included, or
- 2) place of stay to the nearest polling station on the election day, in the case referred to in Article 32 § 1

- hereinafter referred to as “transport to the polling station”;

- 3) polling station referred to in points 1 and 2 to the place where the voter in question started his journey, hereinafter referred to as “return transport”.

§ 2. Transport to the polling station and return transport shall be provided by the mayor of a municipality in which municipal passenger transport is not in

operation on election day, as referred to in Article 4 paragraph 1 point 3 of the Act of 16 December 2010 on Public Transport (Journal of Laws of 2022, items 1343 and 2666), in addition to the transport referred to in Article 37f § 1.

§ 3. The voter referred to in § 1, whose health condition does not allow independent travel, may be accompanied by a caretaker.

§ 4. The voter referred to in § 1 shall notify the appropriate mayor by the 13th day before election day of his intention to exercise his right to transport to the polling station or return transport.

§ 5. In the case of the election of the President of the Republic of Poland and the election of the mayor, the notification of the intention to exercise the right to transport to the polling station or return transport also applies to re-voting. If the notification of the intention to exercise the right to transport to the polling station or return transport is to apply only to the re-vote, the intention may be submitted up to the 5th day before the day of the re-vote.

§ 6. The notification referred to in § 4 and 5 may be made verbally, in writing, or electronically. The notification shall state the surname and name(s), the PESEL personal identification number of the voter and the caretaker, if he is to accompany the voter, the designation of the place of residence, or other place referred to in § 1 points 1 and 2, an indication whether the voter intends to use return transport, the designation of the election to which the notification relates, and the voter's telephone number or e-mail address, if he has one.

§ 7. In the notification referred to in § 4 and 5, a voter whose health condition does not allow independent travel shall declare this fact, and a voter with a disability shall declare the assessed degree of disability and the validity of the certificate.

§ 8. The mayor shall inform the voter who notified his intention to exercise the right to transport to the polling station about the time of transport to the polling station on the election day, no later than the 3rd day before election day.

§ 9. A voter who notified his intention to exercise his right to transport to the polling station or return transport may withdraw his notification or give up only return transport no later than on the 2nd day before the election day. Withdrawal of notification or resignation from return transport may be done verbally, in writing, or electronically.

Article 37f. § 1. The mayor of a rural or urban-rural municipality within the meaning of Article 21a paragraph 1 point 2 of the Act of 13 November 2003 on the Income of Local Government Units (Journal of Laws of 2022, item 2267) shall organize free municipal passenger transport on election day for voters included in the electoral register in a permanent electoral precinct located in the area of a given

municipality, if within that municipality:

- 1) public transport, as referred to in Article 4 paragraph 1 point 14 of the Act of 16 December 2010 on Public Transport, is not in operation on election day, or
- 2) the nearest public transport stop, as referred to in Article 4 paragraph 1 point 13 of the Act of 16 December 2010 on Public Transport, is more than 1.5 km from the polling station.

§ 2. The transport network of the municipal passenger transport referred to in § 1, is determined in a way that takes into account all cities, estates, villages, settlements, colonies and hamlets within the meaning of the Act of 29 August 2003 on Official Names of Places and Physiographical Objects (Journal of Laws of 2019, item 1443) located within the permanent electoral precinct.

§ 3. The stops of the municipal passenger transport service referred to in § 1 shall be established in each city, estate, village, settlement, colony and hamlet with at least 5 voters included in the electoral register in the respective permanent electoral precinct.

§ 4. The municipal passenger transport referred to in § 1 shall run at least two full routes during voting hours. These routes must be held at an interval of at least 4 hours, counted from the end of the route.

§ 5. No later than the 10th day before the election day, the mayor shall announce, by posting in the Public Information Bulletin and in a manner customary in the municipality, information on the organization of municipal passenger transport referred to in § 1, indicating the service line, with particular attention to stops, and the departure times from individual stops.

§ 6. The task referred to in § 1 may be carried out by more than one mayor under inter-municipal agreements. The provisions of § 1-5 shall apply accordingly. In particular, the inter-municipal agreement specifies the division of tasks between the authorities of the municipalities party to the agreement and the rules for settling the costs incurred by each municipality.

Article 37g. The tasks specified in Article 37e § 1 and Article 37f § 1 are government administration tasks delegated to municipalities, and the funds for their implementation are provided by the regional governor. The provision of Articles 123 and 124 shall not apply.”;

- 41) in Article 39, § 5 shall read as follows:

“§ 5. Voting in separate electoral precincts and in electoral precincts established on Polish sea vessels may begin later than the time specified in § 2, as long as this does not affect the ability of all entitled voters to vote.”;

42) in Article 42:

a) § 3 shall read as follows:

“§ 3. From the moment the voting commences until its completion, members of the precinct electoral commission in the number of at least 1/2 of its full composition, including the chairman of the commission or his deputy, must be present at the polling station at one time,”

b) § 5 shall read as follows:

“§ 5. From the commencement by the precinct electoral commission of the activities referred to in § 1 until the signing of the protocol referred to in Article 75 § 1, the activities of the precinct electoral commission within the national territory may be recorded by the stewards using their own recording equipment.”,

c) after § 6, § 6a-6d shall be added and read as follows:

“§ 6a. Materials containing the recorded course of activities referred to in § 5 may be transmitted by the steward to the minister responsible for computerisation using:

- 1) electronic service made available by that minister, after authentication of the applicant in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks, who shall store them until the validity of the election is established;
- 2) electronic service made available in the public mobile application referred to in Article 19e paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks, after authentication of the steward using the certificate referred to in Article 19e paragraph 2a of that Act, made available to the user of the public mobile application after authentication in the manner specified in Article 20a paragraph 1 of this Act, which shall store them until the validity of the election is established.

§ 6b. In order to execute the task referred to in § 6a, the minister responsible for computerisation shall process images of persons visible in the material containing the recorded course of activities referred to in § 5.

§ 6c. The steward shall process the material containing the recorded course of activities referred to in § 5 exclusively for the purpose referred to in § 6 or § 6a, and shall remove it immediately, after it has been transferred in accordance with § 6a, from the recording device and any, both physical and virtual, storage media on which it has been recorded and of which the steward

remains the owner.

§ 6d. The material containing the recorded course of activities referred to in § 5, not transferred in accordance with § 6 or 6a, shall be removed from the recording device and any, both physical and virtual, storage media on which it was recorded, no later than the end of the day following the day on which the precinct electoral commission transferred the protocol of voting to the higher level electoral commission in accordance with Article 77 § 1.”

43) in Article 50, § 2 shall read as follows:

“§ 2. Observers referred to in § 1, shall have the same powers as stewards, with the exception of making annotations in the protocol, the right to an allowance and the right to leave.”

44) in Article 51:

a) in § 2, point 2 shall read as follows:

“2) the person omitted from the register if the mayor confirms that the omission from the register is the result of a mistake;”,

b) § 3 shall be repealed;

45) in Article 53b:

a) § 1 shall read as follows:

“§ 1. The voter shall notify the electoral commissioner of his intention to vote by mail by the 13th day before election day, except for a voter subject to mandatory quarantine on election day, isolation or home isolation, who shall notify of his intention to vote to the electoral commissioner by the 5th day before election day.”,

b) after § 1, § 1a shall be added and read as follows:

“§ 1a. A voter who began to be subjected to mandatory quarantine, isolation, or home isolation after the date specified in § 1 may notify of his intention to vote by mail by the 2nd day before election day.”,

c) § 2 - 3 shall read as follows:

“§ 2. The notification referred to in § 1 and 1a may be made:

1) verbally;

2) in writing recorded in:

a) paper form, bearing a handwritten signature,

b) electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature, using an electronic service made available by the minister responsible for computerisation, after

authentication of the applicant in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks;

- 3) by telephone - in the case of a voter with a disability and a voter subject to mandatory quarantine, isolate, or home isolation on election day.

§ 2a. The notification referred to in § 1 and 1a shall be immediately forwarded by the electoral commissioner to the competent electoral officer in the municipality where the voter is included in the electoral precinct according to the registered address for permanent residence or the address of permanent residence.

§ 3. The notification referred to in § 1 and 1a shall include or state the surname and name(s), the voter's PESEL personal identification number, the designation of the election to which the notification relates and the address to which the election package is to be sent.”,

- d) § 7 shall read as follows:

“§ 7. In the notification referred to in § 1, a voter with a disability may request that the election package be accompanied by a ballot overlay prepared in Braille, and may include or provide an e-mail address or mobile phone number, as well as information on consent to the transfer of data to the register of contact information of natural persons.”;

- 46) in Article 55, § 1 shall read as follows:

“§ 1. A proxy may be a person with the right to elect, subject to § 4.”;

- 47) in Article 56:

- a) § 2 shall read as follows:

“§ 2. Authorisation for proxy voting shall be drawn up at the request of the voter filed with the mayor of the municipality where the voter is included in the electoral precinct appropriate for the registered address for permanent residence or the address of permanent residence, no later than the 9th day before the election day. The request shall include the surname and name(s), PESEL personal identification number and address of residence of both the voter and the person for whom proxy voting is to be granted, as well as the designation of the election to which the proxy voting relates.”,

- b) after § 2, § 2a and 2b shall be added and read as follows:

“§ 2a. In the application referred to in § 2, the voter may include an e-mail address or mobile phone number, as well as information on consent to the transfer of data to the register of contact information of natural persons.

§ 2b. The request may be submitted:

- 1) verbally;
  - 2) in writing recorded in:
    - a) paper form, bearing a handwritten signature,
    - b) electronic form, bearing a qualified electronic signature, a trusted profile signature, or a personal signature, using an electronic service made available by the minister responsible for computerisation, after authentication of that person in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks.”,
  - c) in § 3, point 3 shall be repealed,
  - d) after § 3, § 3a shall be added and read as follows:
 

“§ 3a. In the election of the President of the Republic of Poland and in the election of the mayor, the authorisation for proxy voting shall be drawn up separately for the first vote and the re-vote.”;
- 48) in Article 58 in § 2, point 2, shall read as follows:
- “2) the occurrence of the premise referred to in Article 55 § 4;”;
- 49) in Article 69:
- a) § 1 shall read as follows:
 

“§ 1. Immediately after the completion of voting, the precinct electoral commission shall determine the results of the voting in the precinct in accordance with the elections held.”,
  - b) § 3 shall be repealed,
  - c) after § 3a, § 3b and 3c shall be added and read as follows:
 

“§ 3b. The execution of the activities referred to in § 3a by groups of members of precinct electoral commissions or by individual members separately, or the establishment of working groups consisting of members of precinct electoral commissions that would separately execute activities after the completion of voting, is not permitted.

§ 3c. The detailed procedure for execution of the activities referred to in § 3a and 3b shall be determined by the National Electoral Commission.”;
- 50) the words “for determining the results in electoral precinct” used in Article 69 in § 3a, in Article 71 in § 1a, in Article 72 in § 2, in Article 75 in § 1, in § 2a in the second sentence, in § 5 in the first sentence and in § 7 in the first sentence, in Article 76 in § 2 and in § 3 in the second sentence, in Article 77 in § 1 in the first sentence and in § 3 in the first sentence, in Article 78 in § 1, in Article 79 in § 1 in the first sentence



and in § 2 in the first sentence, in Article 162 in § 1 in point 1 in subpoint b, in Article 228 in § 1 in the introduction to the enumeration, in Article 229 in the second sentence, in Article 270 in § 1 in the introduction to the enumeration, in Article 271 in the second sentence, in Article 313, in Article 349 in § 2, in Article 350 in the second sentence, in Article 441, in Article 452 in § 2, in Article 468 in § 1 and in Article 488 in § 1 shall be deleted;

51) Article 70 shall read as follows:

“Article 70. § 1. Immediately after the completion of voting, the chairman of the precinct electoral commission shall seal the opening of the ballot box.

§ 2. The precinct electoral commission shall determine, on the basis of the electoral register, the number of persons entitled to vote and the number of voters who have been handed ballots.

§ 3. The precinct electoral commission shall establish the number of unused ballots and then shall place them into sealed packages.”;

52) in Article 71:

a) § 1 shall read as follows:

“§ 1. Upon execution of the activities by the precinct electoral commission referred to in Article 70, the chairman of the precinct electoral commission shall open the ballot box and then the commission shall count the ballots removed from the ballot box and determine the number of valid ballots and the number of invalid ballots and, according to the elections held, the number of valid votes cast for individual candidates or for individual lists of candidates and each candidate from those lists, as well as the number of invalid votes.”,

b) after § 1a, § 1b shall be added and read as follows:

“§ 1b. Prior to determining by the precinct electoral commission the validity of the ballot, the validity of the vote, the casting of votes for a particular list or for a particular candidate, each ballot shall be shown to all present members of the precinct electoral commission.”;

53) in Article 89, § 3 shall be repealed;

54) Article 92 shall read as follows:

“Article 92. § 1. The name of the electoral committee of a political party shall include the words

“electoral committee” and the name of the political party or the abbreviation of the

party's name resulting from the entry in the register of political parties.

§ 2. The name of the coalition electoral committee shall include the words "coalition electoral committee" and the name of the electoral coalition or an abbreviation of the name of this electoral coalition. The name of the electoral coalition may also be the names of the political parties forming the electoral coalition or abbreviations of the names of these parties resulting from the entry of these parties in the register of political parties.

§ 3. The name of the electoral committee of an organization shall include the words "electoral committee" and the name of the organization or the abbreviation of the name of the organization resulting from the entry in the register of organizations maintained by the competent authority.

§ 4. The name of the electoral committee of voters shall include the words "electoral committee of voters" and the name of the electoral committee or an abbreviation of its name clearly distinguishable from the names and abbreviations of the names of other electoral committees.

§ 5. The name of the electoral committee of voters established to participate in the election of the President of the Republic of Poland shall include the words "electoral committee of the candidate for President of the Republic of Poland" and the name and surname of the candidate.

§ 6. The name of the electoral committee must be clearly distinguishable from the names and abbreviations of the names of other electoral committees.”;

55) after Article 92, Article 92a shall be added and read as follows:

“Article 92a. § 1. The abbreviation of the name of the electoral committee of a political party shall include the words “EC” or “electoral committee” and the name or abbreviation of the name of the party resulting from its entry in the register of political parties.

§ 2. The abbreviation of the name of the coalition electoral committee shall include the words “CEC” or “coalition electoral committee” and the name of the electoral coalition or an abbreviation of the name of this electoral coalition. The abbreviation of the name of the electoral coalition may also be the names of the political parties forming the electoral coalition or abbreviations of the names of these parties resulting from the entry of these parties in the register of political parties.

§ 3. The abbreviation of the name of the electoral committee of an organization shall include the words “EC” or “electoral committee” and the name of the organization or the abbreviation of the name of the organization resulting from the entry in the register of organizations maintained by the competent authority.

§ 4. The name of the electoral committee of voters shall include the words “ECV” or “electoral committee of voters” and the name of the electoral committee or an abbreviation of its name clearly distinguishable from the names and abbreviations of the names of other electoral committees.

§ 5. The abbreviation of the name of an electoral committee must make it possible to identify it by reference to the full name of the committee.

§ 6. The abbreviation of the name of an electoral committee may consist of no more than 45 characters, including spaces.

§ 7. The abbreviation of the name of an electoral committee may be the same as the name of that committee, provided that the name of the committee consists of no more than 45 characters, including spaces.

§ 8. The abbreviation of the name of the electoral committee must be clearly distinguishable from the names and abbreviations of the names of other electoral committees.”;

56) in Article 97 in § 2, the first sentence shall read as follows:

“If the registration is deficient, the competent electoral authority, within 3 days from the date of delivery of the notice, shall call upon the electoral officer to remove them within 2 days from the date of public disclosure of the registration defects.”;

57) in Article 102:

a) § 1 shall read as follows:

“§ 1. The electoral officer shall, within 3 days from the closing date for registration of lists of candidates or a candidate, notify the electoral authority that accepted the notice of the establishment of the committee, of the website address where the electoral committee shall post the information specified in the Code.”,

b) § 3 shall read as follows:

“§ 3. The obligation referred to in § 1 shall not apply to electoral committees that submit only a list or lists of candidates for municipal councillors in a single municipality of up to 20,000 residents, and in the case of elections referred to in Article 474 § 2 - a candidate for mayor in a municipality of up to 20,000 residents.”;

58) in Article 103a after § 2, § 2a and 2b shall be added and read as follows:

“§ 2a. The electoral officer shall provide the minister responsible for computerisation with information on persons who will serve as stewards, stating their name, surname and PESEL personal identification number, if they are to

execute the activities referred to in Article 42 § 6a.

§ 2b. The information referred to in § 2a may be provided on a form bearing:

- 1) a qualified electronic signature, a trusted profile signature, or a personal signature sent using an electronic service made available by the minister responsible for computerisation, after authentication of the applicant in the manner specified in Article 20a paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks, in the period from the date of receipt of the notice of the establishment of an electoral committee by the competent authority until the election day;
  - 2) advanced electronic seal of the minister responsible for computerisation sent using an electronic service made available by that minister in the public mobile application referred to in Article 19e paragraph 1 of the Act of 17 February 2005 on Computerisation of the Bodies Performing Public Tasks after authentication of the applicant using a certificate referred to in Article 19e paragraph 2a of that Act issued to the user of the public mobile application after authentication in the manner specified in Article 20a paragraph 1 of that Act, in the period from the date of receipt of the notice of the establishment of an electoral committee by the competent authority until the election day”;
- 59) after Article 103a, Article 103aa shall be added and read as follows:

“Article 103aa. § 1. A steward appointed to a precinct electoral commission shall be entitled to an allowance equal to 40% of the flat-rate allowance of the precinct electoral commission members.

§ 2. The allowance shall be paid only to those stewards who observed the voting for at least 5 hours and observed the entire process of determining the results until the signing of the protocol of voting in accordance with Article 75 § 5.

§ 3. The chairman of the precinct electoral commission shall keep a record of the time spent by the stewards at the polling station and issue a certificate, the template of which shall be determined by resolution by the National Electoral Commission, to the stewards who have met the conditions referred to in § 2.

§ 4. The certificate referred to in § 3 shall include:

- 1) name and surname of the steward;
- 2) the designation of the precinct electoral commission whose chairman issues the certificate;
- 3) statement that the steward met the conditions necessary for the payment of the allowance.

§ 5. The certificate referred to in § 3, bearing the seal of the electoral commissioner, shall be signed by the chairman of the respective commission.

§ 6. The certificate referred to in § 3 shall be drawn up in two copies, one of which shall be given to the steward, and the other shall constitute an election document within the meaning of Article 8.

§ 7. The allowances referred to in § 1 shall be paid to the stewards by the mayor upon submission by them to the appropriate municipal office of a request for the payment, together with the certificate referred to in § 3, or a certified copy thereof, within 30 working days from the date of submission of the request.

§ 8. The certificate referred to in § 7 shall include:

- 1) name and surname of the applicant;
  - 2) registered address and mailing address, if different from the registered address;
  - 3) bank account number to which the allowance is to be transferred, or an indication that payment of the allowance in cash is requested;
  - 4) PESEL personal identification number;
  - 5) designation of the precinct electoral commission at which the applicant served as a steward;
  - 6) designation of the competent tax office.”;
- 60) after Article 103b, Article 103ba shall be added and read as follows:

“Article 103ba. § 1. In connection with the execution of tasks, the steward shall be entitled to days off from work for the election day and vote counting, as well as for the day following the day on which the vote counting was completed while retaining the right to social security benefits and rights under the employment relationship.

§ 2. If the stewards intend to take days off from work as referred to in § 1, they are obliged to, at least 3 days before the expected date of absence from work, notify the employer in writing of the reason and expected period of absence from work, and then, no later than the day following the expiration of the period of absence from work, to provide the employer with a certificate justifying the absence from work due to the execution of tasks of a steward.

§ 3. The certificate referred to in § 2 shall include:

- 1) name and surname of the steward;
- 2) indication of the legal basis for taking days off from work;
- 3) the reason and duration of absence from work.

§ 4. The certificate referred to in § 2, bearing the seal of the electoral commissioner, shall be signed by the chairman of the respective commission.

§ 5. The certificate referred to in § 2 shall be drawn up in two copies, one of which shall be given to the steward, and the other shall constitute an election

document within the meaning of Article 8.

§ 6. The National Electoral Commission, by resolution, shall determine the templates of the certificate referred to in § 2, taking into account the data required by the Act.”;

61) in Article 103c, § 2 shall read as follows:

“§ 2. The provisions of the Code regarding stewards shall apply accordingly to public observers, with the exception of Article 103aa, Article 103b § 1 points 3 and 4 and Article 103ba.”;

62) in Article 127 in § 2, point 1 shall read as follows:

“1) candidate in the elections;”;

63) in Article 134, § 2 shall read as follows:

“§ 2. The sum of payments from a Polish citizen to a given electoral committee may not exceed 15 times the minimum wage, determined on the basis of separate provisions, in force on the day preceding the day of announcement of the act ordering elections.”;

64) in Article 135 after § 1, § 1a shall be added and read as follows:

“§ 1a. In the election of the President of the Republic of Poland and in the election of the mayor, the restriction referred to in § 1 shall include the total expenses incurred before the first vote and before the re-vote.”;

65) in Article 138 in § 2, the first sentence shall read as follows:

“If a coalition electoral committee obtains a surplus of funds raised for election campaign purposes over the expenses incurred, it shall transfer it to the electoral funds of the parties that are part of the electoral coalition proportionally to the contributions made by the individual parties that formed the electoral coalition to the electoral committee formed by the coalition.”

66) in Article 140:

a) in § 1, point 2 shall read as follows:

“2) contributions from one natural person of a value exceeding in total the amount of the minimum wage determined on the basis of separate provisions in force on the day preceding the day of announcement of the act ordering elections, indicating the name, surname and place of residence of such person.”

b) § 5 shall read as follows:

“§ 5. The obligation referred to in § 1 shall not apply to electoral committees that submit only a list or lists of candidates for municipal councillors in a single municipality of up to 20,000 residents, and in the case of elections referred to in Article 474 § 2 - a candidate for mayor in a municipality of up to 20,000 residents.”;

67) in Article 141, § 2 shall read as follows:

“§ 2. From the date of acceptance by the competent electoral authority of the notice referred to in Article 86 § 2 or Article 87 § 5, respectively, until the election day, a political party that has independently formed an electoral committee or is part of an electoral coalition may not carry out and finance activities to promote the program objectives of a political party.”;

68) in Article 142:

a) § 2 and 3 shall read as follows:

“§ 2. If the financial statement is submitted to the National Electoral Commission, it shall be accompanied by an auditor’s report.

§ 3. The auditor’s report shall not be prepared if the financial officer, within 30 days from the election day, notifies the competent electoral authority that the electoral committee had no revenues, incurred no expenses and has no financial obligations.”,

b) § 5 - 7 shall read as follows:

“§ 5. When examining the financial statement, the electoral commissioner may commission expert reports or an auditor’s report.

§ 6. The cost of preparing the auditor’s report referred to in § 2 and § 5 shall be covered by the state budget in the part: Budget, public finances and financial institutions.

§ 7. The minister responsible for public finances, after consulting the National Electoral Commission, shall determine, by ordinance the template of the financial statement, the list of types of documents to be attached to the financial statement, the manner of transmission of this statement and the documents attached to it, including in electronic form, to the electoral authorities, in particular:

- 1) the scope of data contained in the statement,
- 2) the manner of presentation of the data contained in the statement,
- 3) the manner of preparing the statement, including the lists referred to in it - with a view to their transparency and readability.”;

69) in Article 143 in § 3, the second sentence shall read as follows:

“The electoral commissioner shall make public, in the Public Information Bulletin, information on the place, time and manner in which they will be made available for inspection.”;

70) in Article 150, § 5 shall read as follows:

“§ 5. The amount of the institutional subsidy available to a political party that is part of an electoral coalition shall be determined by dividing the amount calculated in accordance with § 2 between the parties that are part of the coalition proportionally to the contributions made by the individual parties that formed the electoral coalition to the electoral committee formed by the coalition.”;

71) in Article 151, § 4 shall read as follows:

“§ 4. The amount of the institutional subsidy available to a political party that is part of an electoral coalition shall be determined by dividing the amount calculated in accordance with § 2 between the parties that are part of the coalition proportionally to the contributions made by the individual parties that formed the electoral coalition to the electoral committee formed by the coalition.”;

72) in Article 154:

a) § 4 shall read as follows:

“§ 4. A member of a precinct or territorial electoral commission, in connection with the execution of tasks, is entitled to:

- 1) days off from work for the election day and vote counting, as well as for the day following the day on which the vote counting was completed while retaining the right to social security benefits and rights under the employment relationship,
- 2) up to 5 days off from work while retaining the right to social security benefits and rights under the employment relationship, with the exception of the right to remuneration.”,

b) after § 4, § 4a-4d shall be added and read as follows:

“§ 4a. If members of a precinct or territorial electoral commission intend to take days off from work as referred to in § 4, they are obliged, at least 3 days before the expected date of absence from work, to notify the employer in writing of the reason and expected period of absence from work, and then, no later than the next day after the expiration of the period of absence from work, to provide the employer with a certificate justifying the absence from work due



to the execution of tasks of the commission.

§ 4b. The certificate referred to in § 4a shall include:

- 1) name and surname of the person who is a member of the committee;
- 2) indication of the legal basis for taking days off from work;
- 3) the reason and duration of absence from work.

§ 4c. The certificate bearing the seal of the precinct or territorial electoral commission shall be signed by the chairman of the commission, and for the chairman of the commission - by his deputy.

§ 4d. The certificate shall be drawn up in two copies, one of which shall be given to the concerned member of the commission, and the other shall be kept in the commission's records.”,

- c) in § 7 point 3 shall be repealed; 73)

in Article 160 in § 1:

- a) point 2 shall read as follows:

“2) overseeing the updating of data collected in the Central Register of Voters and the compilation of electoral registers;”,

- b) point 9a shall read as follows:

“9a) to direct, within a period of 13 days before election day, accessible information on the manner of voting and the conditions for the validity of the vote to as many voters as possible using the Commission's website and through the mass media;”;

73) in Article 162:

- a) § 2 and 3 shall read as follows:

“§ 2. The teleinformatic system for electronic handling of the activities referred to in § 1 shall be developed in accordance with the requirements set by the National Electoral Commission.

§ 3. For the handling of the activities referred to in § 1, only a teleinformatic system, whose property rights are vested exclusively in the State Treasury, and technical devices, whose property rights are vested exclusively in the State Treasury, local government units, or their subordinate entities may be used. They must be located on the territory of the Republic of Poland and be at the exclusive disposal of the National Electoral Commission and the National Electoral Office. Maintenance and development of the system may not be entrusted to entities external to the National Electoral Office.”,

- b) § 4 shall be added and read as follows:

“§ 4. Data on the numbers and boundaries of electoral precincts, numbers

and boundaries of constituencies, as well as data on the number of residents and the number of voters, shall be made available to the teleinformatic system referred to in § 2 from the Central Register of Voters.”;

74) in Article 165:

a) § 1 shall read as follows:

“§ 1. The National Electoral Commission, in executing activities resulting from its supervision of the updating of data collected in the Central Register of Voters and the compilation of electoral registers:

- 1) supervises the correct updating of the Central Register of Voters and the compilation of electoral registers by municipalities;
- 2) applies ex officio to the competent authorities for the deletion from the electoral precinct or electoral register of persons who were included in the precinct or register in violation of the law;
- 3) makes public, at least quarterly, information on the number of voters included in the Central Register of Voters by the municipality;
- 4) makes public, by the municipality, information on the number of voters included in the electoral registers as of the date of their compilation for the respective elections;
- 5) makes public, at least quarterly, information on the number of residents by the municipality;
- 6) cooperates with the authorities in charge of civil registry matters and the regional governors;
- 7) executes other tasks arising from the provisions of the relevant acts.”,

b) after § 1, § 1a shall be added and read as follows:

“§ 1a. Authorities in charge of civil registry matters and regional governors shall provide the National Electoral Commission with information and make available documents necessary for the execution of the activities referred to in § 1.”,

c) § 3 shall read as follows:

“§ 3. The minister responsible for internal affairs, after consulting the National Electoral Commission, shall determine, by ordinance, the detailed conditions of cooperation between the authorities in charge of civil registry matters and regional governors with the National Electoral Office, taking into account the need to ensure the security of personal data processing.”;

76) in Article 166 in § 7 after point 2, point 2a shall be added and read as follows:

“2a) over the age of 70;”;

77) in Article 170, § 1-4 shall read as follows:

“§ 1. The regional electoral commission shall be composed of 4-10 members appointed from among persons who have a university degree in law and who give a guarantee of due execution of this function, and ex officio - the electoral commissioner as its chairman. A person over the age of 70 may not be appointed to the commission.

§ 2. The regional electoral commission shall be appointed by the National Electoral Commission, at the request of the electoral commissioner in charge of the locality of the commission’s seat, no later than the 48th day before election day.

§ 3. A member of the regional electoral commission may not:

- 1) be a member of a political party or engage in public activities that are not compatible with his function;
- 2) be sentenced by a legally binding decision for an intentional crime prosecuted by public indictment or an intentional fiscal crime.

§ 4. If the electoral commissioner is unable to serve as chairman of the commission, the commission shall elect a chairman from among its members.”;

78) in Article 171:

a) in § 1 after point 2, point 2a shall be added and read as follows:

“2a) violations of the prohibitions referred to in Article 170 § 3;”;

b) in § 2, point 2 shall read as follows:

“2) upon a reasoned request of the electoral commissioner with respect to a member of the commission nominated by him.”;

79) in Article 174, § 1 shall read as follows:

“§ 1. The district electoral commission shall be composed of 4 members appointed from among persons who have a university degree in law and who give a guarantee of due execution of this function, and ex officio - the electoral commissioner as its chairman. A person over the age of 70 may not be appointed to the commission.”;

80) in Article 178:

a) § 2 shall read as follows:

“§ 2. The territorial election commission shall be composed of:

- 1) 9 persons in local government units with up to 20,000 residents,
- 2) 11 persons in local government units with up to 100,000 residents,

- 3) 13 persons in local government units with up to 500,000 residents,
  - 4) 15 persons in local government units with more than 500,000 residents  
- subject to § 6.”
- b) after § 2, § 2a shall be added and read as follows:
- “§ 2a. The territorial electoral commission shall be appointed:
- 1) in a number not exceeding  $\frac{2}{3}$  of the statutory composition of the commission - one person nominated by each electoral officer representing electoral committees formed by political parties or coalitions of political parties, from whose lists respectively in the last election: councillors to the regional council were elected, except that candidates may be nominated only in the area of the region in which the electoral committee, as a result of the last election, introduced councillors to the regional council, or deputies to the Sejm; if the number of such electoral committees is less than  $\frac{2}{3}$  of the statutory composition of the commission, the right to designate an additional person is vested in the electoral officers of the electoral committees referred to in point 2,
  - 2) one person nominated by each of the electoral officers representing the remaining electoral committees  
- subject to § 3.”
- c) § 3 shall read as follows:
- “§ 3. Should the number of members of the commission appointed under § 2a:
- 1) proved to be lower than the statutory numerical composition of the commission - the remaining candidates for the composition of the commission shall be selected by a public draw from among the persons nominated by all electoral officers; each electoral officer may nominate for the draw as many persons as are missing from the statutory numerical composition of the commission;
  - 2) proved to be higher than the statutory numerical composition of the commission - candidates for the composition of the commission, in the number constituting the difference between the statutory numerical composition of the commission and the number of members appointed under § 2a point 1, shall be selected by a public draw from among the persons nominated by the electoral officers referred to in § 2a point 2; each electoral officer may nominate only one person for the draw.”,
- d) after § 3, § 3a shall be added and read as follows:
- “§ 3a. A person who is a candidate for a member of a territorial electoral commission must have the right to stand for election to the Sejm no later than

on the day of nomination.”;

81) Article 181a shall be repealed;

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82) in Article 182:

a) § 1 shall read as follows:

“§ 1. A precinct electoral commission shall be appointed from among the voters by the electoral commissioner no later than the 20th day before election day, subject to the provisions of Article 183.”,

b) after § 1a, § 1b and 1c shall be added and read as follows:

“§ 1b. The electoral commissioner, if the preservation of the efficiency of the voting process so requires, may supplement the numerical composition of the precinct electoral commission in a municipality where an increased number of voters can be expected compared to the number of voters listed in the register of voters, except that the number of members of the commission may not exceed the permissible composition of the commission referred to in § 1a point 4.

§ 1c. The National Electoral Commission shall compile a list of the municipalities referred to in § 1b, on the basis of requests from electoral commissioners, no later than the 30th day before election day.”,

c) § 3 shall read as follows:

“§ 3. The following shall be appointed to precinct electoral commissions in separate electoral precincts:

- 1) 5 persons in electoral precincts up to 100 persons,
- 2) 7 persons in electoral precincts from 101 to 300 persons,
- 3) 9 persons in electoral precincts from 301 to 500 persons,
- 4) 11 persons in electoral precincts over 500 persons

- from among candidates nominated by electoral officers or persons authorized by them.”,

d) after § 3, § 3a shall be added and read as follows:

“§ 3a. The number of persons to be appointed to precinct electoral commissions in separate electoral precincts shall be determined on the basis of the number of persons residing in medical institutions, social welfare homes, penitentiary institutions and detention centers and external wards of such institutions and detention centers, as well as student residences or student housing complexes in which electoral precincts have been established, on the date of establishment of separate electoral precincts therein.”;

83) in Article 183, § 1 shall read as follows:

“§ 1. Precinct electoral commissions in electoral precincts established abroad are appointed by consuls from among voters living or residing in the consul’s territorial jurisdiction. The provision of Article 182 § 5-10 shall apply accordingly.”;

84) Article 185 shall read as follows:

“Article 185. The tasks of the precinct electoral commission include:

- 1) conducting voting in the electoral precinct;
- 2) ensuring that election laws are observed on election day at the place and time of voting;
- 3) determining the electoral precinct voting results and making them public;
- 4) sending the voting results to the competent electoral commission.”

85) in Article 195 in § 2 in point 1, subpoint b shall read as follows:

“b) in Articles 170 § 3, 204 § 2, 4 and 6 - by the 34th day before election day,”;

86) in Article 199:

a) in § 1:

– in point 1, the words “voter register” shall be replaced by the words

“Central Register of Voters in an electoral precinct.”

– point 2 shall read as follows:

“2) the spending limit for a given committee is calculated according to the formula:

$$L = (w \times k \times m)/460,$$

where individual symbols stand for:

L - the spending limit,

w - the total number of voters in the country included in the Central Register of Voters in electoral precincts,

k - the amount per each voter in the country included in the Central Register of Voters in the electoral precinct referred to in point 1,

m - the total number of deputies elected in all constituencies where the committee registered lists of candidates.”,

b) § 2 shall read as follows:

“§ 2. The National Electoral Commission, within 14 days from the date of ordering elections to the Sejm, shall announce by notice in the Official Journal of the Republic of Poland “Monitor Polski” and publish in the Public Information Bulletin the total number of voters in the country included in the

Central Register of Voters in the electoral precincts as of the end of the quarter preceding the day of announcement of the decision to order elections to the Sejm.”;

87) in Article 202, § 4 shall be added and read as follows:

“§ 4. Information on the numbers and boundaries of constituencies shall be entered in the Central Register of Voters by the director of the delegation of the National Election Office appropriate for the seat of the regional electoral commission.”;

88) in Article 203, § 4 shall read as follows:

“§ 4. Determination of the number of residents referred to in § 1 shall be based on the data as of the end of the third quarter of the year preceding the year in which the term of the Sejm expires.”;

89) in Article 204:

a) § 2 shall read as follows:

“§ 2. The electoral committee of a political party is obliged to notify the National Electoral Commission of the establishment of the committee during the period from the date of announcement of the order of elections the 48th day before election day.”;

b) § 4 shall read as follows:

“§ 4. A coalition electoral committee may be established during the period from the date of publication the of announcement of the order of elections until the 48th day before election day. The electoral officer shall notify the National Electoral Commission by the 48th day before election day of the establishment of a coalition electoral committee.”;

c) in § 6, the second sentence shall read as follows:

“Notification may be submitted up to the 48th day before election day.”

d) in § 7, point 3 shall read as follows:

“3) a list of at least 1,000 citizens referred to in § 6, including their legibly written names, surnames, residential addresses, PESEL personal identification numbers and dates of endorsement, as well as citizens’ handwritten signatures;”;

90) in Article 205 in § 2, the first sentence shall read as follows:

“The Supreme Court shall examine the complaint in a panel of three judges in non-trial proceedings and shall issue a decision on the complaint within 2 days.”

91) in Article 209, § 2 shall read as follows:

“§ 2. A voter endorsing a list of candidates shall place his signature next to his legibly written surname and name, residential address and PESEL personal identification number, as well as the date of endorsement.”;

92) in Article 211, § 1 shall read as follows:

“§ 1. The list of candidates shall be submitted to the district electoral commission no later than 16:00 hours on the 39th day before election day.”;

93) in Article 217, § 1 shall read as follows:

“§ 1. If there are reasonable doubts about the authenticity of the data contained in the list of signatures or the authenticity of the signatures, the regional electoral commission shall, within 3 days, verify the data on the basis of the data contained in the Central Register of Voters or verify the authenticity of the signatures on the basis of officially available documents, and, if necessary, request explanations from voters. The person submitting the list shall be immediately notified of the initiation of the investigation.”;

94) in Article 247:

a) in § 1 after point 5, point 5a shall be added and read as follows:

“5a) the assumption of the office of President of the Republic of Poland;”;

b) after § 3, § 3a shall be added and read as follows:

“§ 3a. The expiration of the mandate of a deputy as a result of assuming the office of President of the Republic of Poland shall take place upon taking the oath of office before the National Assembly, as referred to in Article 130 of the Constitution of the Republic of Poland.”;

95) in Article 259 in § 1:

a) in point 1, the words “voter register” shall be replaced by the words “Central Register of Voters in an electoral precinct.”

b) point 2 shall read as follows:

“2) the spending limit for a given committee is calculated according to the formula:

$$L = (w \times k \times s)/100,$$

where individual symbols stand for:

L - the spending limit,

w - the total number of voters in the country included in the Central Register of Voters in electoral precincts,

k - the amount per each voter in the country included in the Central



Register of Voters in the electoral precinct referred to in point 1, s - the number of constituencies in which the committee registered candidates for senators.”;

96) in Article 261 after § 4a, § 4b shall be added and read as follows:

“§ 4b. Information on the numbers and boundaries of constituencies shall be entered in the Central Register of Voters by the director of the delegation of the National Election Office appropriate for the seat of the regional electoral commission.”;

97) in Article 265, § 3 shall read as follows:

“§ 3. A voter endorsing the registration of a candidate for senator shall place his signature next to his legibly written surname and name, residential address and PESEL personal identification number, as well as the date of endorsement.”;

98) in § 265a, the second sentence shall read as follows:

“Registration shall be made no later than the 13th day before election day; in such a case, the provision of Article 265 § 1 shall not apply.”

99) in Article 279:

a) in § 1 after point 5, point 5a shall be added and read as follows:

“5a) the assumption of the office of President of the Republic of Poland;”,

b) after § 3, § 3a shall be added and read as follows:

“§ 3a. The expiration of the mandate of a senator as a result of assuming the office of President of the Republic of Poland shall take place upon taking the oath of office before the National Assembly, as referred to in Article 130 of the Constitution of the Republic of Poland.”;

100) in Article 283:

a) after § 1, § 1a shall be added and read as follows:

“§ 1a. The President of the Republic of Poland shall order by-elections to the Senate also in the event of failure to elect a senator.”,

b) in § 2, the first sentence shall read as follows:

“A by-election shall be ordered and held within 3 months from the date of the determination of the expiration of the senator’s mandate, and in the case referred to in § 1a - within 3 months from the election day on which a senator’s seat was not elected.”,

c) in § 3, the first sentence shall read as follows:

“The provisions of Article 194 shall apply accordingly in matters of ordering

the elections referred to in § 1 and 1a, except that the order of the President of the Republic of Poland on by-elections shall be promptly made public by the National Electoral Commission, by the announcement, in the constituency in which the elections are to be held.”;

101) in Article 300 in § 2, the first sentence shall read as follows:

“The Supreme Court shall examine the complaint in a panel of three judges in non-trial proceedings and shall issue a decision on the complaint within 2 days.”

102) in Article 303 in § 1:

a) the first sentence shall read as follows:

“Registration of a candidate for President of the Republic of Poland shall be made in person by the electoral officer no later than 16:00 hours on the 44th day before election day.”,

b) point 3 shall read as follows:

“3) a list of citizens who endorse the registration, including their legibly written names and surnames, residential addresses, dates of endorsement and PESEL personal identification numbers of the citizen who endorses as well as citizens’ handwritten signature; each page of the list must include the name of the electoral committee registering the candidate and the following annotation.

“I endorse the candidate for President of the Republic of Poland.  
 ..... [name(s) and surname of candidate] in  
 the election ordered for (day, month, year).”;

103) in Article 304:

a) in § 4, the first sentence shall read as follows:

“If the registration is deficient, the National Electoral Commission shall immediately call upon the electoral officer to remove the indicated defects in the registration within 2 days from the date of public disclosure of the registration defects.”,

b) after § 4, § 4a and 4b shall be added and read as follows:

“§ 4a. If the number of properly submitted signatures of voters endorsing the registration of a candidate is less than the required number, the National Electoral Commission shall call upon the electoral officer to supplement the list of signatures, provided that the closing date referred to in Article 303 § 1 has not passed. Supplementation of the list of signatures is possible until the closing date referred to in Article 303 § 1.

§ 4b. If the list of signatures has not been supplemented before the closing

date referred to in Article 303 § 1, the National Electoral Commission shall issue a decision to refuse the registration of the candidate.”,

c) § 5 shall read as follows:

“§ 5. The decision of the National Electoral Commission referred to in § 3, 4 and 4b, together with the justification, shall be immediately made public and delivered to the electoral officer.”,

d) in § 7, the first sentence shall read as follows:

“The Supreme Court shall examine the complaint in a panel of three judges in non-trial proceedings and shall issue a decision on the complaint within 2 days.”

104) in Article 314:

a) in § 1, the second sentence shall read as follows:

“The protocol in a sealed envelope shall be sent immediately to the National Electoral Commission.”,

b) § 3 shall read as follows:

“§ 3. The second copies of the protocols, together with the protocols of the precinct electoral commissions and all other election documents, shall be forwarded by the chairmen of the regional electoral commissions to the directors of the locally competent delegations of the National Electoral Office.”;

105) in Article 327:

a) in § 1:

- the words “Electoral committees” shall be replaced by the words “In the election of the President of the Republic of Poland, electoral committees”,
- the words “voter register” shall be replaced by the words “Central Register of Voters in the electoral precinct”,

b) § 2 shall read as follows:

“§ 2. The National Electoral Commission, within 14 days from the date of ordering elections, shall announce by notice in the Official Journal of the Republic of Poland “Monitor Polski” and publish in the Public Information Bulletin the total number of voters in the country included in the Central Register of Voters in the electoral precincts as of the end of the quarter preceding the day of announcement of the decision to order elections.”;

106) in Article 337:

a) in § 1:

- in point 1, the words “voter register” shall be replaced by the words “Central Register of Voters in the electoral precinct”,
- point 2 shall read as follows:
  - “2) the spending limit for a given committee is calculated according to the formula:

$$L = w \times k,$$

where individual symbols stand for:

L - the spending limit,

w - the total number of voters in the country included in the Central Register of Voters in electoral precincts located in the area of constituencies in which the committee has registered lists of candidates,

k - the amount per each voter in the country included in the Central Register of Voters in the electoral precinct referred to in point 1.”,

- b) § 2 shall read as follows

“§ 2. The National Electoral Commission, within 14 days from the date of ordering elections, shall announce by notice in the Official Journal of the Republic of Poland “Monitor Polski” and publish in the Public Information Bulletin the total number of voters in the country included in the Central Register of Voters in the electoral precincts located in the area of each constituency as of the end of the quarter preceding the day of announcement of the decision to order elections.”;

- 107) in Article 340, § 4 shall be added and read as follows:

“§ 4. Information on the numbers and boundaries of constituencies shall be entered in the Central Register of Voters by the director of the delegation of the National Election Office appropriate for the seat of the regional electoral commission.”;

- 108) in Article 346 in § 2, the second sentence shall read as follows:

“Supplementation of the list shall be made no later than the 13th day before election day; in such a case, the provision of Article 210 shall not apply.”;

- 109) in Article 351, § 6 shall read as follows:

“§ 6. The protocol of voting results in the region shall be sent immediately by the chairman of the district electoral commission to the regional electoral commission in accordance with the procedure established by the National Electoral Commission. He shall forward the electoral precinct voting protocols and other election documents to the director of the delegation of the National Election Office

appropriate for the seat of the commission.”;

110) in Article 364:

- a) in § 1 after point 2a, point 2b shall be added and read as follows:  
“2b) the assumption of the office of President of the Republic of Poland;”,
- b) after § 2a, § 2b shall be added and read as follows:  
“§ 2b. The forfeiture of the mandate of a member of the European Parliament shall take place upon taking the oath of office before the National Assembly, as referred to in Article 130 of the Constitution of the Republic of Poland.”;

111) in Article 373, § 2 shall read as follows:

“§ 2. Determination of the number of councillors for each council shall be based on the number of residents of that municipality as determined in the Central Register of Voters at the end of the quarter preceding the beginning of the period referred to in Article 374.”;

112) in Article 375, § 1 shall read as follows:

“§ 1. In the case referred to in Article 372, the regional governor, upon consultation with the electoral commissioner, shall determine the number of councillors elected to a given council on the basis of the number of residents of that municipality, as determined in the Central Register of Voters, as of the end of the quarter preceding the order of elections.”;

113) in Article 383:

- a) in § 1 after point 5, point 5a shall be added and read as follows:  
“5a) the assumption of the office of President of the Republic of Poland;”,
- b) in § 2a, the first sentence shall read as follows:  
“Expiration of the mandate of a councillor as of the date of occurrence of the reason referred to in § 1, points 1, 4, 5a and 6, shall be stated by the electoral commissioner, by means of a decision, within 14 days from the date of occurrence of the reason for the expiration of the mandate.”;
- c) § 7 shall be added and read as follows:  
“§ 7. The expiration of the mandate of a councillor as a result of assuming the office of President of the Republic of Poland shall take place upon taking the oath of office before the National Assembly, as referred to in Article 130 of the Constitution of the Republic of Poland.”;

114) in Article 403 in § 4, point 3 shall read as follows:

“3) a list of citizens referred to in § 2 or § 3, including their legibly written names, surnames, residential addresses, PESEL personal identification numbers and

dates of endorsement, as well as citizens' handwritten signatures;”;

115) in Article 404 in § 2, the first sentence shall read as follows:

“The Supreme Court shall examine the complaint in a panel of three judges in non-trial proceedings and shall issue a decision on the complaint within 2 days.”

116) in Article 410 in § 5, the introduction to the enumeration shall read as follows:

“The electoral commissioner, on the basis of the registration of lists of candidates in elections to county councils in the area of his jurisdiction, no later than the 20th day before election day, shall allocate, separately for each county, to the registered lists of candidates of committees that do not meet any of the conditions specified in Article 409 § 1 and 2, the numbers:”;

117) in Article 419:

a) after § 2, § 2a shall be added and read as follows:

“§ 2a. The boundaries of the constituencies shall be determined taking into account the National Official Register of Territorial Division referred to in Article 47 of the Act of 29 June 1995 on Public Statistics.”,

b) § 5 shall be added and read as follows:

“§ 5. The decision of the electoral commissioner on the establishment of constituencies shall be the basis for the competent director of the delegation of the National Electoral Office to enter the data on numbers and boundaries of constituencies into the Central Register of Voters.”;

118) in Article 420:

a) § 1 shall read as follows:

“§ 1. The decision of the electoral commissioner in matters of constituencies may be subject to a complaint to the Supreme Administrative Court by the concerned municipal council, as well as by voters in the number of at least 15, within 3 days from the date of public disclosure of the decision referred to in Article 419 § 4. The complaint shall be lodged through the electoral commissioner. The electoral commissioner shall, within 2 days, forward the complaint to the Supreme Administrative Court, together with the complete and orderly file of the case and the response to the complaint, as well as the information on the voting rights of the complainants, in paper or electronic form. The Supreme Administrative Court shall examine the case in a closed session in a panel of three judges no later than 5 days from the date of its receipt and shall issue a decision, delivering it immediately to the complainants and the electoral commissioner. There is no legal remedy against

the decision of the Supreme Administrative Court.”,

b) § 2 shall be repealed;

119) in Article 421, § 2 shall read as follows:

“§ 2. The provisions of Article 419 § 2-5 and Article 420 shall apply accordingly to changes in the constituency division referred to in § 1.”;

120) in Article 426, § 3 and 4 shall read as follows:

“§ 3. In the case of nomination of a citizen of the European Union who is not a Polish citizen or of a citizen of the United Kingdom of Great Britain and Northern Ireland, the candidate’s written consent to candidacy shall also be accompanied by:

- 1) the candidate’s statement indicating the last address of residence in his native European Union Member State or in the United Kingdom of Great Britain and Northern Ireland, respectively;
- 2) a candidate’s statement that he has not been deprived of the right to be elected in his native European Union Member State or the United Kingdom of Great Britain and Northern Ireland, respectively;
- 3) a candidate’s statement that he does not hold an office that is subject to a ban on combining functions.

§ 4. In case of doubts about the content of the statement referred to in § 3 point 2, the candidate may be required by the competent electoral authority to submit before or after the election a certificate issued by the competent administrative authority of his native European Union Member State or the United Kingdom of Great Britain and Northern Ireland confirming that he has not been deprived of the right to be elected in that Member State or the United Kingdom of Great Britain and Northern Ireland, respectively, or that the authority is not aware of any such deprivation.”;

121) in Article 427, § 3 shall read as follows:

“§ 3. A voter endorsing a list shall place his signature next to his legibly written surname and name, residential address and PESEL personal identification number, as well as the date of endorsement.”;

122) in Article 428, § 1 shall read as follows:

“§ 1. Lists of candidates, separately for each constituency, shall be submitted to the municipal electoral commission no later than the 34th day before election day by 16:00 hours, along with a list of signatures.”;

123) in Article 435 in § 2, the first sentence shall read as follows:

“The announcement referred to in § 1 shall be forwarded to the mayor, who shall ensure its printing and posting in the municipal area no later than the 13th day before election day.”;

124) in Article 436, § 4 shall read as follows:

“§ 4. A statement of withdrawal of consent to candidacy submitted less than 13 days before the election day shall not have the effect referred to in § 1 unless no candidate’s name remains on the list.”;

125) in Article 456:

a) § 1 shall read as follows:

“§ 1. The decision of the electoral commissioner in matters of constituencies may be subject to a complaint to the Supreme Administrative Court by the concerned county council, municipal council as well as by voters in the number of at least 15, within 3 days from the date of public disclosure of the decision referred to in Article 455. The complaint shall be lodged through the electoral commissioner. The electoral commissioner shall, within 2 days, forward the complaint to the Supreme Administrative Court, together with the complete and orderly file of the case and the response to the complaint, as well as the information on the voting rights of the complainants, in paper or electronic form. The Supreme Administrative Court shall examine the case in a closed session in a panel of three judges no later than 5 days from the date of its receipt and shall issue a decision, delivering it immediately to the complainants and the electoral commissioner. There is no legal remedy against the decision of the Supreme Administrative Court. The provision of Article 420 § 3 shall apply.”;

b) § 2 shall be repealed;

126) in Article 478:

a) § 3 shall read as follows:

“§ 3. Candidates for the mayor shall be submitted to the municipal electoral commission no later than the 24th day before election day by 16:00 hours.”;

b) in § 4 in the second sentence, the introduction to the enumeration shall read as follows: “In such a case, in order to register a candidate for mayor, the electoral committee must obtain the endorsement, included in the Central Register of Voters in the municipal electoral precincts, of at least.”;

127) in Article 483 in § 2, the second sentence shall read as follows:

“Supplementation of the list shall be made no later than the 13th day before election



day.”;

128) in Article 492:

- a) in § 1 after point 4, point 4a shall be added and read as follows:  
“4a) the assumption of the office of President of the Republic of Poland;”,
- b) in § 2a, the first sentence shall read as follows:  
“Expiration of the mandate of a mayor as of the date of occurrence of the reason referred to in § 1 points 3, 4a and 5, as regards the reasons indicated in Article 27 of the Act of 8 March 1990 on Local Government, and points 5a-7, shall be stated by the electoral commissioner, by means of a decision, within 14 days from the date of occurrence of the reason for the expiration of the mandate.”,
- c) § 6 shall be added and read as follows:  
“§ 6. The expiration of the mandate of a mayor as a result of assuming the office of President of the Republic of Poland shall take place upon taking the oath of office before the National Assembly, as referred to in Article 130 of the Constitution of the Republic of Poland.”;

129) in Article 510, § 1 shall read as follows:

“§ 1. Whoever, in connection with an election, prevents or hinders the auditor from fulfilling his obligation to draw up the auditor’s report on the financial statement

– shall be subject to a fine, the penalty of restriction of liberty, or the penalty of deprivation of liberty for up to 2 years.”;

130) Article 513 shall read as follows:

“Article 513. A voter who participated more than once in voting in the same election

– shall be subject to a fine, the penalty of restriction of liberty, or the penalty of deprivation of liberty for up to 2 years.”;

131) Article 516 shall read as follows:

“Article 516. The provisions on offense proceedings shall apply to the proceedings in the cases referred to in Articles 494-496, Article 498, Article 503, Article 505, Article 505a, Article 511, Article 512, Article 513a, and Article 513b.”.

**Article 2.** In the Act of 27 June 1997 on Political Parties (Journal of Laws of 2022, item 372) shall be amended as follows:

1) Article 15 shall read as follows:

“Article 15. 1. Legally binding decisions of the court in cases of entry in the registry shall be announced free of charge in the “Court and Economic Monitor.”

2. Non-legally binding and legally binding decisions of the court in the cases referred to in paragraph 1 shall be forwarded by the court to the National Electoral Commission immediately after they are issued and become legally binding.”;

2) in Article 34:

a) paragraph 3 shall read as follows:

“3. The minister responsible for public finances, after consulting the National Electoral Commission, shall determine, by ordinance:

- 1) template of information, including electronic version,
- 2) the scope of data contained in the information and the manner of its presentation,
- 3) the manner of preparing the information,
- 4) the manner of submission of information, including electronically,
- 5) the list of documents to be attached to the information,

with a view, in particular, to transparency and readability of data and ensuring the possibility of reliable verification of data on the allocation of subsidy money, including from the Expert Fund.”,

b) paragraph 4a shall be repealed,

c) paragraph 5 shall read as follows:

“5. The National Electoral Commission shall publish the information in the Public Information Bulletin within 30 days of the closing date specified in Article 34 paragraph 2.”;

3) in Article 38:

a) paragraph 2 shall read as follows:

“2. The minister responsible for public finances, after consulting the National Electoral Commission, shall determine, by ordinance:

- 1) template of the statement, including electronic version,
- 2) the scope of data contained in the statement and the manner of its presentation,
- 3) the manner of preparing the statement, including the lists referred to in it,
- 4) the manner of submission of the statement, including electronically,
- 5) the list of documents to be attached to the statement,

with a view to their transparency and readability; the formula should specify, in particular, the method of separate settlement of the funds of the electoral fund of a political party.”,

b) paragraph 3a shall be repealed,

c) paragraph 4 shall read as follows:

“4. The National Electoral Commission shall publish the statement together with the auditor’s report referred to in paragraph 3 in the Public

Information Bulletin within 30 days of the closing date specified in Article 38 paragraph 1.”;

4) in Article 38a:

a) in paragraph 1, point 2 shall read as follows:

“2) accepts the statement with an indication of deficiencies, in particular, if:

a) the funds or non-monetary assets raised, accepted, or collected in violation of Article 24 paragraph 8, Article 25 paragraph 1, Article 25 paragraph 4a do not exceed:

- 1% of the total amount of revenue of a political party - if the party’s revenue in the reporting period did not exceed PLN 1,000,000, or
- 0.1% of the total amount of revenue of a political party - if the party’s revenue in the reporting period did not exceed PLN 1,000,000,

b) actions resulting in a reduction in the value of a political party’s liabilities by a person other than listed in Articles 25 paragraph 1 and Article 25a paragraph 1, or made in violation of the contribution limit referred to in Article 25 paragraph 4, shall not exceed:

- 1% of the total amount of revenue of a political party - if the party’s revenue in the reporting period did not exceed PLN 1,000,000, or
- 0.1% of the total amount of revenue of a political party - if the party’s revenue in the reporting period did not exceed PLN 1,000,000;”

b) in paragraph 2 in point 7, the period shall be replaced by a semicolon and point 8 shall be added and read as follows:

“8) financing of an electoral committee established by a political party or an electoral committee established by a coalition of political parties, of which the party was a member, in violation of the provisions referred to in Article 144 § 1 point 3 subpoints b, c and e of the Act of 5 January 2011 - Election Code (Journal of Laws of 2022, item 1277, 2418 and...).”.

**Article 3.** In the Act of 21 August 1997 on Restrictions on Conduct of Business Activities by Persons Performing Public Functions (Journal of Laws of 2022, item 1110) in Article 12, paragraph 12 shall read as follows:

“9. The information contained in entries to the Register shall be immediately made public by the National Electoral Commission in the Public Information

Bulletin and shall be made available during the period of holding the position or function and for a period of 6 years after the termination of the position or function referred to in paragraph 7.”

**Article 4.** In the Act of 24 May 2000 on the National Criminal Register (Journal of Laws of 2023, item 159) in Article 6, paragraph 1a shall read as follows:

“1a. The information referred to in paragraph 1 points 3b-3e shall be forwarded immediately, but no later than within 3 days.”.

**Article 5.** In the Act of 15 September 2000 on Local Referendum (Journal of Laws of 2019, item 741) shall be amended as follows:

1) in Article 1, paragraph 2 shall read as follows:

“2. In the scope not regulated by the Act, the provisions of the Act of 5 January 2011 - Election Code (Journal of Laws of 2022, items 1277, 2418 and...) shall apply to the local referendum accordingly, with the exception of Article 37e, Article 37f, Article 103aa and Article 103ba.”;

2) in Article 12, paragraph 5 shall read as follows

“5. At the request of the initiator of the referendum, submitted in writing recorded in paper form, bearing a handwritten signature, the chairman of the local government unit, and in a municipality - a mayor (town mayor, city mayor), within 14 days of receipt of the request, shall notify, in writing recorded in paper form, the initiator of the referendum or his representative of the number of voters included in the Central Register of Voters in the precincts of the given municipality at the end of the quarter preceding the submission of the request. This number for counties and regions shall be determined and promptly forwarded to the relevant county governors and regional marshals by electoral commissioners on the basis of data collected in the Central Register of Voters by the 10th day of the month following the end of the quarter.”.

**Article 6.** In the Act of 14 March 2003 on Nationwide Referendum (Journal of Laws of 2020, item 851) in Article 9:

1) paragraph 1 shall read as follows:

“1. The list of persons entitled to participate in the referendum is compiled and updated by the municipality as a delegated task, subject to paragraph 2. The list is compiled on the basis of the Central Register of Voters, maintained in accordance with the provisions of the Act of 5 January 2011 - Election Code.”;

2) paragraph 6 shall be repealed,”

3) paragraph 8 shall read as follows:

“8. The minister responsible for computerisation, after consulting the National

Electoral Commission, shall determine, by ordinance:

- 1) template of a list of persons entitled to participate in the referendum,
- 2) the manner and procedure for compiling lists of persons entitled to participate in the referendum and its updating,
- 3) the template of the list of persons entitled to participate in the referendum staying in medical institutions, social welfare homes, penitentiary institutions and detention centers and external wards of such institutions and detention centers, as well as student residences and student housing complexes in which electoral precincts have been established
  - taking into account the need to ensure the protection of personal data.”;
- 4) after paragraph 8, paragraph 8a shall be added and read as follows:
  - “8a. The minister responsible for public administration, after consulting the National Electoral Commission, shall determine, by ordinance:
    - 1) template of application for change of voting place,
    - 2) template and method of issuing a certificate on the right to vote to persons entitled to participate in the referendum
      - taking into account the need to ensure the protection of personal data and the protection of the certificate from forgery.”;
- 5) paragraph 9 and 10 shall read as follows:
  - “9. The minister responsible for the maritime economy, after consulting the National Electoral Commission, shall determine, by ordinance, the manner of compiling and updating the list of persons entitled to participate in the referendum aboard Polish sea vessels engaged in a voyage on the day of the referendum, as well as the manner of notifying the mayor of the Śródmieście district of the capital city of Warsaw about the persons covered by the list who permanently reside in the country and the manner of issuing certificates of the right to vote.
  - 10. The minister responsible for foreign affairs, in consultation with the minister responsible for computerisation, after consulting the National Electoral Commission, shall determine, by ordinance, the manner of compiling and updating the list of persons entitled to participate in the referendum residing abroad and holding valid Polish passports and the manner of issuing certificates of the right to vote.”.

**Article 7.** The Act of 18 October 2006 on the Disclosure of Information on Documents of State Security Agencies from the period between the years 1944-1990 and the Content of such Documents ( Journal of Laws of 2021, item 1633, and of 2022, items 1459, 1512, 2463 and 2731) shall be amended as follows:

- 1) in Article 4:
  - a) after point 5, point 5a shall be added and read as follows:

“5a) member of the National Electoral Commission, as referred to in Article 157 § 2 point 3 of the Act of 5 January 2011 - Election Code (Journal of Laws of 2022, item 1277, 2418 and...);”
  - b) after point 6, point 6a shall be added and read as follows:

“6a) electoral commissioner;”
- 2) in Article 8:
  - a) after point 4, point 4a shall be added and read as follows:

“4a) point 5a – Marshal of the Sejm;”
  - b) after point 5, point 5a shall be added and read as follows:

“5a) point 6a – minister responsible for internal affairs;”

**Article 8.** In the Public Finance Act of 27 August 2009 (Journal of Laws of 2022, item 1634 as amended<sup>3</sup>) in Article 149 in paragraph 2, point 1 shall read as follows:

“1) Head of the National Electoral Office or directors of teams and delegations of the National Electoral Office acting under his authority on the financing tasks related to updating the Central Register of Voters and organizing and holding elections and referendums;”

**Article 9.** In the Act of 24 September 2010 on the Population Register (Journal of Laws of 2022, item 1191) shall be amended as follows:

- 1) in Article 10:
  - a) in paragraph 1 after point 9, point 9a shall be added and read as follows:

“9a) the municipal authority competent to execute the application of a citizen of a European Union Member State or the United Kingdom of Great Britain and Northern Ireland for inclusion in a permanent electoral precinct in the Central Register of Voters after a positive decision on the matter is issued in accordance with the procedure specified in the provisions of the Act of 5 January 2011 - Election Code (Journal of Laws of 2022, item 1277, 2418 and ...) - in the scope including data referred to in Article 8 points 1, 3-13, 24 and 24a;”
  - b) paragraph 3 shall read as follows:

“3. Data from the PESEL personal identification number shall be transferred to the registers of residents and the central registers referred to in paragraph 2, and to the Central Register of Voters referred to in the provisions of the Act of 5 January 2011 - Election Code.”;

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3) Amendments to the consolidated text of the said act were announced in the Journal of Laws of 2022, item 1692, 1725, 1747, 1768, 1964 and 2414.

2) in Article 12, paragraph 1 shall read as follows:

“1. The data referred to in Article 8 points 6, 16, 20-21 and 24a are collected on the basis of the statement of the person to whom they pertain, made before the municipal authority competent to register for permanent residence, the municipal authority competent to execute the application of a citizen of a European Union Member State or the United Kingdom of Great Britain and Northern Ireland for inclusion in a permanent electoral precinct in the Central Register of Voters after a positive decision on the matter is issued in accordance with the procedure specified in the provisions of the Act of 5 January 2011 - Election Code or the municipal authority competent to file an application for the assignment of a PESEL personal identification number, and in the case of the data referred to in Article 8 point 24a, only if they do not result from other documents.”;

3) in Article 17 in paragraph 1 after point 2, point 2a shall be added and read as follows:

“2a) the municipal authority competent to execute the application of a citizen of a European Union Member State or the United Kingdom of Great Britain and Northern Ireland for inclusion in the permanent electoral precinct in the Central Register of Voters, after a positive decision on the matter is issued in accordance with the procedure specified in the provisions of the Act of 5 January 2011 - Election Code;”.

**Article 10.** 1. By the date specified in the announcement of the Prime Minister issued under Article 15 paragraph 1 point 7:

- 1) the PESEL personal identification number, referred to in Article 5 point 10 of the Act amended in Article 1, with respect to citizens of the United Kingdom of Great Britain and Northern Ireland, shall be understood as the number of the passport or other identity document;
- 2) Part B of the register of voters referred to in Article 18 § 9 of the Act amended in Article 1 shall also include citizens of the United Kingdom of Great Britain and Northern Ireland permanently residing in the area of the municipality and entitled to exercise voting rights in the Republic of Poland;
- 3) Part B of the electoral register referred to in Article 26 § 8 of the Act amended in Article 1 shall also include citizens of the United Kingdom of Great Britain and Northern Ireland permanently residing in the area of the municipality and entitled to exercise voting rights in the Republic of Poland.

2. By the date specified in the announcement of the Prime Minister issued under



Article 15 paragraph 1 point 7:

- 1) division of a permanent electoral precinct by the electoral commissioner may be carried out at the request of at least 5% of the voters included in the permanent register of voters in that precinct or at the request of the mayor, if in the area of the permanent electoral precinct established as a result of the division it is possible to set up premises for a precinct electoral commission; the provision of Article 12 § 3 of the Act amended in Article 1 as amended by this Act shall apply;
- 2) notification of the intention to vote by mail, referred to in Article 53b § 1 and 1a of the Act amended in Article 1 as amended by this Act, may be made verbally, in writing, or electronically, and in the case of a voter with a disability and a voter subject to mandatory quarantine, isolation or isolation at home on the election day, also by telephone.

**Article 11.** By the date specified in the announcement of the Prime Minister issued under Article 15 paragraph 1 point 9 the following shall not apply:

- 1) the provision of Article 19 § 7 of the Act amended in Article 1, as amended by this Act, with respect to the possibility of submitting an application for inclusion in a permanent electoral precinct in the Central Register of Voters using the electronic service referred to in that provision;
- 2) the provision of Article 19a § 5 of the Act amended in Article 1, as amended by this Act, with respect to the possibility of submitting an application for inclusion in a permanent electoral precinct in the Central Register of Voters using the electronic service referred to in that provision;
- 3) the provision of Article 36 § 1 of the Act amended in Article 1, as amended by this Act, with respect to the possibility of accessing the Central Register of Voters using the electronic service referred to in that provision;
- 4) the provision of Article 36 § 3 of the Act amended in Article 1, as amended by this Act, with respect to the possibility of downloading from the Central Register of Voters information about the data processed in that register using the electronic service referred to in that provision;
- 5) the provision of Article 53b § 2 of the Act amended in Article 1, as amended by this Act, with respect to the possibility of registration of the intention to vote by mail using the electronic service referred to in that provision;
- 6) the provision of Article 56 § 2b of the Act amended in Article 1, as amended by this

Act, with respect to the possibility of requesting the preparation of a proxy to vote using the electronic service referred to in that provision.

**Article 12.** The provisions of the acts amended in Article 1 and Article 5 as they have been amended to date shall apply to re-elections, pre-term and by-elections to local government units, elections to new councils, re-elections and re-term elections of mayors, town mayors and city mayors, as well as the local referendum, held during the term of office when this Act entered into force, with the exception of: 1) the provisions of Article 10 § 1 point 3 subpoint a, Article 11 § 3, and Article 426 § 3 and 4 of the Act amended in Article 1, which shall apply as amended by this Act; 2) the provisions of Article 5 points 10 and 14, Article 12 § 5-5b, 11 and 15, Article 13 § 1aa, 1b and 3, Article 13a § 3, Articles 18-19a, Article 20 § 1-4, Articles 21-23, Article 25a, Article 26 § 1-11, Article 28, Article 28a, Article 29 § 1, 3 and 4, Article 29a, Article 30 § 1, Article 32, Article 34, Article 35 § 1-4, Article 36, Article 37a§ 1, Article 51 § 2 point 2, Article 53b § 2-3 and 7, Article 55 § 1, Article 56 § 2-3a, Article 58 § 2 point 2, Article 160 § 1 point 2, Article 163 § 2-4, Article 165 § 1, 1a and 3, Article 199, Article 202 § 4, Article 203 § 4, Article 217 § 1, Article 259 § 1, Article 261 § 4b, Article 327 § 1 and 2, Article 337 § 1 and 2, Article 340 § 4, Article 373 § 2, Article 375 § 1, Article 419 § 2a and 5, Article 421 § 2 and Article 478 § 4 of the Act amended in Article 1, and Article 12 paragraph 5 of the Act amended in Article 5, which shall apply, as amended by this Act, to elections or referendums ordered after the date specified in the announcement of the Prime Minister issued under Article 15 paragraph 1 point 7.

**Article 13.** 1. The existing implementing regulations issued under Article 25 and Article 33 of the Act amended in Article 1 shall remain in effect until the effective date of implementing regulations issued under Article 32a and Article 32b, respectively, of the Act amended in Article 1, and may be amended under the existing regulations.

2. The existing implementing regulations issued under Article 142 § 7 and Article 154 § 7 of the Act amended in Article 1 shall remain in effect until the effective date of the implementing regulations issued under Article 142 § 7 and Article 154 § 7 of the Act amended in Article 1, as amended by this Act, but no longer than for 6 months from the effective date of this Act.

3. The existing implementing regulations issued under Article 34 and Article 38 of the Act amended in Article 2 shall remain in effect until the effective date of implementing regulations issued under Article 34 and Article 38 of the Act amended in Article 2, as amended by this Act, but for no longer than 6 months from the effective date of this Act.

**Article 14.** A citizen of a European Union Member State or the United Kingdom of Great Britain and Northern Ireland who has been included in the register of voters under previous legislation and who has not been assigned a PESEL personal identification number, in order to be included in a permanent electoral precinct, shall submit the application referred to in Article 19a § 1 of the Act amended in Article 1.

**Article 15.** 1. The Prime Minister, in consultation with the National Electoral Commission, shall publish notices in the Journal of Laws of the Republic of Poland specifying the closing dates for:

- 1) transfer by municipalities to the National Electoral Commission of data on voters registered at their request in the register of voters in the scope including: PESEL personal identification number, address of permanent residence and date of entry in the register and data on voters deprived of the right to elect in the scope including: the period of deprivation of the right to elect, the designation of the court, the file reference and the date of the decision;
- 2) updating of electoral commissioners' descriptions of the boundaries of electoral precincts and constituencies;
- 3) supplementing the Central Register of Voters with the numbers and boundaries of electoral precincts and constituencies provided by the National Electoral Commission;
- 4) feeding the Central Register of Voters with data from the PESEL register and data provided by the National Electoral Commission;
- 5) verification by municipalities of the accuracy of data in the Central Register of Voters;
- 6) entry by municipalities into the Central Register of Voters of changes in data insofar as they involve deprivation of the right to elect and entry into the register of voters upon request, and which occurred after the execution of actions within the time limit specified in the notice referred to in point 1;
- 7) launching the Central Register of Voters;
- 8) launching the service for transferring materials containing the recorded course of activities referred to in Article 42 § 5 of the Act amended in Article 1 to the minister responsible for computerisation under Article 42 § 6a of the Act amended in Article 1, and the service for transferring information on persons who will serve as stewards, as referred to in Article 103a § 2b of the Act amended in Article 1;

9) launching the service referred to in Article 19 § 7, Article 19a § 5, Article 36 § 1 and 3, Article 53b § 2, or Article 56 § 2b of the Act amended in Article 1, as amended by this Act.

2. The time limits referred to in paragraph 1 points 1-6 may not be shorter than 30 days from the date of the notice.

**Article 16.** 1. A mayor or town mayor, within one month from the date of entry into force of this Act, shall provide the competent electoral commissioner with information on each locality in the area of a given municipality with a population of at least 200 residents that do not have premises for a precinct electoral commission, as well as on the possibility of setting up premises for the precinct electoral commission in this locality. The number of residents shall be determined as of the date of entry into force of this Act.

2. The electoral commissioner shall, within 2 months from the date of entry into force of this Act, review the division of municipalities into permanent electoral precincts, taking into account the information referred to in paragraph 1, and the possibility of setting up premises for a precinct electoral commission in each permanent electoral precinct in the event of a change in the division of municipalities into permanent electoral precincts.

3. The electoral commissioner shall, within 3 months from the date of entry into force of this Act, divide the permanent electoral precinct in order to establish a permanent electoral precinct covering the locality referred to in paragraph 1.

4. If it is not possible to set up premises for a precinct electoral commission in the locality referred to in paragraph 1, the electoral commissioner shall abandon the division referred to in paragraph 3 and forward to the National Electoral Commission information in which he provides a justification indicating the reason for abandoning the division. The National Electoral Commission may order a division if it determines that such a possibility exists.

**Article 17.** 1. Members of the National Electoral Commission referred to in Article 157 § 2 point 3 of the Act amended in Article 1, as well as electoral commissioners born before 1 August 1972, who are in the office on the date of entry into force of this Act, shall be required to submit a vetting statement or information on the prior submission of a vetting statement within three months of the entry into force of this Act.

2. The competent authority for the submission of a vetting statement or information on the prior submission of a vetting statement is with respect to:

- 1) member of the National Electoral Commission referred to in paragraph 1 - the President of the Republic of Poland;
- 2) electoral commissioner - the National Electoral Commission.

3 If the person referred to in paragraph 1 fails to submit a vetting statement or information on the prior submission of a vetting statement promptly, it shall be followed by the effect specified in Article 21e paragraph 1 of the Act amended in Article 7.

4 Deprivation of office of the person referred to in paragraph 1 shall be effected by virtue of law as of the date on which the closing date for submission of a vetting statement or information on prior submission of a vetting statement has passed. The fact of deprivation of office is stated in respect of:

- 1) member of the National Electoral Commission - the President of the Republic of Poland;
- 2) electoral commissioner - the National Electoral Commission.

**Article 18.** 1. In 2023-2032, the maximum limit of the state budget expenditures resulting from the financial impact of the development and maintenance of the Central Register of Voters is PLN 99.28 million, of which:

- 1) in 2023 – PLN 31.2 m;
- 2) in 2024 – PLN 7.6 m;
- 3) in 2025 – PLN 7.56 m;
- 4) in 2026 – PLN 7.56 m;
- 5) in 2027 – PLN 7.56 m;
- 6) in 2028 – PLN 7.56 m;
- 7) in 2029 – PLN 7.56 m;
- 8) in 2030 – PLN 7.56 m;
- 9) in 2031 – PLN 7.56 m;
- 10) in 2032 – PLN 7.56 m.

2. The minister responsible for computerisation shall monitor the use of the expenditure limit referred to in paragraph 1 and evaluate the use of this limit as of the end of each quarter, and in the case of the fourth quarter - as of November 20 of the given year.

3. If the expenditure referred to in paragraph 1, after three quarters, totals more than 75% of the limit provided for that year, the expenditure in the fourth quarter shall be reduced by the amount of the excess, determining the extent of restrictions for individual tasks implemented under the Act.

4. The competent authority to implement the corrective mechanism referred to in

paragraph 3 is the minister responsible for computerisation.

**Article 19.** The Act shall enter into force 14 days after the day of the announcement, with the exemption of:

- 1) Article 1 points 3, 4 and 120, Article 10 paragraph 1 and Article 13, paragraph 1, which shall enter into force on the day following the date of the announcement;
- 2) Article 1 point 1 subpoints a and c, point 5 subpoints b, c, e and h, points 6, 7, 13-34, point 36 subpoint a first indent double second indent and third indent, point 44 subpoint a, point 45 subpoints c and d, points 46-48, point 73 subpoint a, points 74, 75, 86-88, 93, 95, 96, 105-107, 111, 112, 117, 119, point 126 subpoint b, and Article 5 point 2, Article 6, Article 8, Article 9, Article 12 and Article 14, which shall enter into force on the date specified in the announcement of the Prime Minister issued under Article 15 paragraph 1 point 7;
- 3) Article 1 point 42 subpoint c and point 58, which shall enter into force on the date specified in the announcement of the Prime Minister issued under Article 15 paragraph 1 point 8.

MARSHAL OF THE  
SEJM

(-) Elżbieta Witek

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Stamped by order of the Marshal of the Senate  
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