

Comparative Study of Electoral Systems Module 3: Macro Report

June 05, 2006

Country: FINLAND

Date of Election: March 18, 2007

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Date of Preparation: August 20th, 2009

NOTES TO COLLABORATORS:

- The information provided in this report contributes to an important part of the CSES project. The information may be filled out by yourself, or by an expert or experts of your choice. Your efforts in providing these data are greatly appreciated! Any supplementary documents that you can provide (e.g., electoral legislation, party manifestos, electoral commission reports, media reports) are also appreciated, and may be made available on the CSES website.
- Answers should be as of the date of the election being studied.
- Where brackets [] appear, collaborators should answer by placing an "X" within the appropriate bracket or brackets. For example: [X]
- If more space is needed to answer any question, please lengthen the document as necessary.

Data Pertinent to the Election at which the Module was Administered

1a. Type of Election

- Parliamentary/Legislative
- Parliamentary/Legislative and Presidential
- Presidential
- Other; please specify: _____

1b. If the type of election in Question 1a included Parliamentary/Legislative, was the election for the Upper House, Lower House, or both?

- Upper House
- Lower House
- Both
- Other; please specify: Finnish Parliament is unicameral

2a. What was the party of the president *prior* to the most recent election?
Social Democratic Party (SDP)

2b. What was the party of the Prime Minister *prior* to the most recent election?
Centre Party of Finland (KESK)

2c. Report the number of cabinet ministers of each party or parties in cabinet, *prior* to the most recent election. (If one party holds all cabinet posts, simply write "all".) Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

| <u>Name of Political Party</u> | <u>Number of Cabinet Ministers</u> |
|---|------------------------------------|
| Centre Party of Finland (KESK) | 8 |
| Social Democratic Party (SDP) | 8 |
| Swedish People's Party in Finland (RKP) | 2 |

2d. What was the size of the cabinet *prior* to the election (total number of cabinet ministers detailed in 2c)? Please include only full ministers and the prime minister in the count. Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

18

3a. What was the party of the president *after* the most recent election?
Social Democratic Party (SDP)

3b. What was the party of the Prime Minister *after* the most recent election?
Centre Party of Finland (KESK)

3c. Report the number of cabinet ministers of each party or parties in cabinet, *after* the most recent election. (If one party holds all cabinet posts, simply write "all"). Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

| <u>Name of Political Party</u> | <u>Number of Cabinet Ministers</u> |
|---|------------------------------------|
| Centre Party of Finland (KESK) | 8 |
| National Coalition Party(Conservatives) (KOK) | 8 |
| Swedish People's Party in Finland (RKP) | 2 |
| Green League (VIHR) | 2 |

3d. What was the size of the cabinet *after* the election (total number of cabinet ministers detailed in 3c)? Please include only full ministers and the prime minister in the count. Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

20

4a. How many political parties received votes in the election? In this answer, we want political parties, not merely alliances or coalitions of political parties. Please include all parties that received votes, but do not include independents. Where coalitions are present, please count all member parties separately – for instance, a coalition of three parties would count as three parties in your answer, not as one party.

17

4b. Please provide a source of data and link to a website with official, detailed election results (votes and seats) for all parties participating in the election. If the data is not available electronically, please provide the information in paper format if possible.

Result on the official site of the Ministry of Justice

<http://192.49.229.35/E2007/e/tulospalvelu.html>

Results on the official site of the Statistics Finland

http://tilastokeskus.fi/til/evaa/index_en.html

4c. Please list all parties who received at least 1% of the vote nationally, and the applicable electoral results for each, in the following table. Please indicate the source (even if the same as in Question 4b), and add additional rows to the table as necessary. Please provide party names both in English and in the original language, if applicable.

Source:

| Party Name | Number of Votes | % of Vote | Number of Seats | % of Seats |
|---|------------------------|------------------|------------------------|-------------------|
| Centre Party of Finland (KESK) | 640428 | 23.1 | 51 | 25,5 |
| National Coalition Party (KOK) | 616841 | 22.3 | 50 | 25.0 |
| Social Democratic Party (SDP) | 594194 | 21.4 | 45 | 22.5 |
| Left Alliance (VAS) | 244296 | 8.8 | 17 | 8.5 |
| Green League (VIHR) | 244296 | 8.5 | 15 | 7,5 |
| Christian Democrats in Finland (KD) | 134790 | 4.9 | 7 | 3.5 |
| Swedish People's Party in Finland (RKP) | 126520 | 4.6 | 9 | 4.5 |
| True Finns (PS) | 112256 | 4.1 | 5 | 2.5 |
| <i>Above mentioned parties in total</i> | <i>2713621</i> | <i>97,7</i> | <i>199</i> | <i>99,5</i> |
| Other parties and candidate lists | 57615 | 0,3 | 1 | 0,5 |
| All valid votes | 2771236 | 100,0 | 200 | 100 |
| Total | 2771236 | 100,0 | 200 | 100 |

4d. What was the voter turnout in the election?

| | |
|--|---------------|
| All having suffrage | 65.0 per cent |
| Those having suffrage and <u>living in Finland</u> | 67.9 per cent |
| Those having suffrage and <u>living abroad</u> | 8.6 per cent |

4e. Please provide the following six statistics for the country at the time of the election studied, so that we may calculate voter turnout in various ways. Some definitions, where provided, are based on those developed by International IDEA.

▪ Total Population: 5 276 955

Definition: The total population includes all inhabitants, of all ages, both citizens and non-citizens (including illegal aliens).

▪ Total Number of Voting Age Citizens:

| | |
|---------------------------------------|-----------|
| Voting age citizens living in Finland | 4 083 549 |
| Voting age citizens living abroad | 208 887 |
| Voting age citizens in total | 4 292 436 |

Definition: This number is meant to approximate the eligible voting population.

▪ Total Vote: 2 790 752

Definition: The total number of votes cast in the relevant election. Total vote includes valid and invalid votes, as well as blank votes in cases where these are separated from invalid votes.

▪ Total Number of Invalid and Blank Votes: 19 516

▪ Voting Age Population: 4 292 436

Definition: Includes all persons above the legal voting age.

Number of Registered Voters: 4 292 436

Automatic registration of voters by the Ministry of Justice

Definition: The figure represents the number of names on the voters' register at the time that the registration process closes, as reported by the electoral management body.

5. Ideological family of political parties. For this question, please use the same parties that were used in the CSES Module 3 respondent questionnaire, and label them the same way (A-I).

| Party Name | Ideological Family |
|--|----------------------------------|
| 01 Centre Party of Finland (KESK) | Agrarian Parties/Liberal Parties |
| 02 Social Democratic Party (SDP) | Social Democratic Parties |
| 03 National Coalition Party (KOK) | Conservative Parties |
| 04 Left Alliance (VAS) | Socialist Parties |
| 05 Green League (VIHR) | Ecology Parties |
| 06 Swedish People's Party in Finland (RKP) | Ethnic Parties |
| 07 Christian Democrats in Finland (KD) | Christian Democratic Parties |
| 08 True Finns (PS) | National Parties |
| 09 Suomen työväenpuolue | Socialist Parties |
| 10 Independence Party (Itsenäisyyspuolue) | National Parties |
| 11 Liberals (Liberaalit) | Liberal Parties |
| 12 Change Power Finland (Muutosvoimat Suomi) | Other Parties |
| 13 Poor People's Affair (Köyhien asialla) | Other Parties |
| 14 Joint Responsibility Party (Yhteisvastuupuolue) | Other Parties |
| 15 Patriotic People's Movement of Finland (Suomen Isänmaallinen Kansanliike) | National Parties |
| 16 Finnish People's Blue-Whites (Suomen Kansan Sinivalkoiset) | National Parties |
| 17 Communist Party of Finland (Suomen Kommunistinen Puolue) | Communist Parties |
| 18 Senior People's Party of Finland (Suomen Senioripuolue) | Other Parties |
| 19 For Peace and Socialism - Communist Workers' Party (Rauhan ja Sosialismin Puolesta - Kommunistinen Työväenpuolue) | Communist Parties |

Ideological Party Families: (These are suggestions only. If a party does not fit well into this classification scheme, please provide an alternative and some explanation.)

- | | | |
|-------------------------------|----------------------------------|----------------------|
| (A) Ecology Parties | (F) Left Liberal Parties | (K) Independents |
| (B) Communist Parties | (G) Liberal Parties | (L) Agrarian Parties |
| (C) Socialist Parties | (H) Right Liberal Parties | (M) Ethnic Parties |
| (D) Social Democratic Parties | (I) Christian Democratic Parties | (N) Regional Parties |
| (E) Conservative Parties | (J) National Parties | (O) Other Parties |

7. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)? Rank them according to their salience (1 = most salient).

1. Cleavage between labour movement and non-socialist parties, which was intensified by the campaign ads of the central labour federation.

2. Disagreements on the possibilities for increasing welfare services and benefits, and on the possibilities to reduce taxes

3. Unemployment

4. Benefits of the elderly people

5. The so called premier campaign: the suitability of the party leaders of the three biggest parties to serve as the prime minister.

8. Party Leaders and Presidential Candidates:

In the table below, report the leader(s) of each party. Please use the same parties that were used in the CSES Module 3 respondent questionnaire, and label them the same way (A-I). If candidates were endorsed by more than one party, please indicate this.

| Party Name | Name of Party Leader | Name of Presidential Candidate, if appropriate |
|--|-----------------------------|---|
| A. Centre Party | Matti Vanhanen | |
| B. Social Democratic Party | Eero Heinäluoma | |
| C. National Coalition (conservatives) | Jyrki Katainen | |
| D. Left Wing Alliance | Martti Korhonen | |
| E. Green League | Tarja Cronberg | |
| F. Swedish People's Party | Stefan Wallin | |
| G. Christian Democrats | Päivi Räsänen | |
| H. Basic Finns | Timo Soini | |
| I. | | |

9a. Fairness of the Election

How impartial was the body that administered the election law?

- Very impartial
- Mostly impartial
- Not very impartial
- Not impartial at all

9b. Was there a formal complaint against the national level results?

- Yes
- No

9c. Were there irregularities reported by international election observers?

- Yes
- No
- No international election observers

9d. On what date was the election originally scheduled to be held?

March 18, 2007

9e. On what date was the election actually held? If different from 1d, please explain why.

March 18, 2007

10a. Election Violence

To what extent was there violence and voter or candidate intimidation during the election campaign and the election day?

- No violence at all
- Sporadic violence on the part of the government
- Sporadic violence on the part of opposition groups
- Sporadic violence on all sides
- Significant violence on the part of the government
- Significant violence on the part of opposition groups
- Significant violence of all sides

10b. If there was violence, was it geographically concentrated or national?

- Geographically concentrated
- National

10c. Post-Election (and election-related) Violence

To what extent was there violence following the election?

- No violence at all
- Sporadic violence on the part of the government
- Sporadic violence on the part of opposition groups
- Sporadic violence on all sides
- Significant violence on the part of the government
- Significant violence on the part of opposition groups
- Significant violence of all sides

10d. Post-Election (and election-related) Protest

To what extent was there protest following the election?

- No protest at all
- Sporadic protest
- Significant protest

Questions about the Possibilities of Electoral Alliance

Definitions: A joint list refers to one on which candidates of different parties run together. Apparentement refers to a legal agreement between two or more lists to pool their votes for the purposes of an initial seat allocation, with seats initially allocated to the alliance then reallocated to the lists in the alliance.

11. Joint Lists/Candidates

There are multiple types of electoral alliances/coalitions, but we are explicitly interested in those involving joint lists or candidates - i.e. those where parties compete as a unit during the election.

Is this type of electoral coalition legally allowable?

Yes

No

Is this type of electoral coalition used in practice, even if not legally allowable?

Yes

No

If “Yes” was answered to either of the above questions, then please complete the following table for the election at which the Module was administered. Please mention only alliances that received at least 1% of the vote nationally. Add additional lines to the table as necessary.

| Alliance Name | Participating Parties (please indicate dominant members with an “*”) |
|----------------------|---|
| Alliance 1: | "Christian Democrats" + True Finns |
| Alliance 2: | "True Finns" + Independence Party |
| Alliance 3: | "National Coalition" + Christian Democrats + True Finns |
| Alliance 4: | "Centre Party" + Swedish People's Party |
| Alliance 5: | |

All electoral alliance have been solved on the constituency level, and parties have had different alliance policies in different constituencies.

12. If joint lists are possible, are they subject to different regulations than single-party lists? For example, higher thresholds, different numbers of candidates that may appear on the list, etc. (please mark all applicable responses)

- Yes, joint party lists must satisfy higher thresholds
- Yes, joint party lists may present different numbers of candidates
- Yes, joint party lists are subject to other regulations that are different from the regulations governing independent parties; please specify: _____
- No, joint parties are governed by the same rules as the other parties
- Not applicable; no joint party lists are allowed

13a. Is there apparentement or linking of lists?

- Yes
- No

13b. If apparentement is possible, what lists can participate in such agreements:

- lists of the same party in the same constituency
- lists of the same party from different constituencies
- lists of different parties in the same constituency

14a. Can candidates run with the endorsement of more than one party?

- Yes
- No

14b. If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

- No
- No party endorsements are indicated on the ballot paper
- Yes, candidate's name appears once, together with the names of all supporting parties
- Yes, candidate's name appears as many times as there are different parties endorsing him/her, each time with the name of the endorsing party
- Yes, other; please explain: _____

Data on Electoral Institutions

If possible, please supplement this section with copies of the electoral law, voters' handbooks, electoral commission reports, and/or any other relevant materials.

Questions 15a through 21d must be repeated for each electoral tier (segment) of each directly elected house of the legislature.

Electoral Tier (Segment) and House

15a. In your answers for questions 15a through 21d, which electoral tier (segment) is being referred to? (Note: Countries with only one tier may skip this question.)

15b. In your answers for questions 15a through 21d, which house is being referred to (lower or upper)? (Note: Countries with only one tier may skip this question.)

Questions about Voting

16a. How many votes do voters cast or can cast? In systems where voters rank order the candidates, if there are 10 candidates (for example), the response to this question should be 10.

Voters cast one vote.

16b. Do they vote for candidates (not party lists) or party lists? (Note: Collaborators may select multiple answers, if appropriate.)

(Definition: Party bloc voting is used in multi-member districts where voters cast a single party-centered vote for their party of choice; the party with the most votes wins all of the district seats.)

- Candidates
- Party Lists
- Party Bloc Voting
- Other; please explain: _____

16c. How many rounds of voting are there?

One

16d. If there are lists, are they closed, open, flexible, or is there party bloc voting?

- Closed (order of candidates elected is determined by the party and voters are unable to express preference for a particular candidate)
- Open (voters can indicate their preferred party and their favored candidate within that party)
- Flexible (voters can allocate votes to candidates either within a single party list or across different party lists as they see fit)

17. Are the votes transferable?

(Definition: In systems with preferential voting, a voter can express a list of preferences. E.g., votes can be cast by putting a '1' in the column next to the voter's preferred candidate, a '2' beside their second favorite candidate and so on. Votes are counted according to the first preferences and any candidates who have achieved the predetermined quota are elected. To decide which of the remaining candidates are elected the votes are *transferred* from candidates who have more than the necessary number to achieve the quota and from the candidate with the least number of votes. An example of this is the election in Ireland in 2002.)

Yes

No

18. If more than one vote can be cast, can they be cumulated?

(Definition: Cumulative voting refers to systems in which voters are allowed to cast more than one vote for a single candidate.)

Yes

No

19. Is voting compulsory?

(Definition: Voting is compulsory if the law states that all those who have the right to vote are obliged to exercise that right.)

Yes; Strictly Enforced Sanctions

Yes; Weakly Enforced Sanctions

Yes; Without Sanction for Violation

No

20. Please list and describe any other features of voting that should be noted.

Questions about Converting Votes into Seats

21a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

- Yes
 No

21b. If YES in Question 21a, what is the threshold?

21c. If YES in Question 21a, what is the unit for the threshold mentioned in Question 21b?

- Percent of total votes
 Percent of valid votes
 Percent of the total electorate
 Other; please explain: _____

21d. If YES in Question 21a, please specify to what House/ Electoral Tier (Segment) the threshold(s) apply.

Please repeat questions 15a through 21d for each electoral tier (segment) of each directly elected house of the legislature. Countries with only one tier should proceed to Question 22.

References

22. Please provide an official source for district-level election results. English language sources are especially helpful. Include website links or contact information if applicable.

http://www.stat.fi/til/evaa/2007/evaa_2007_2007-03-22_tie_002_en.html

23. Please list any resources that were consulted in the preparation of this report, or that the CSES community may find especially helpful in understanding the political system described. Include website links if applicable.

<http://www.finlex.fi/en/laki/kaannokset/1998/en19980714.pdf>

<http://www.vaalit.fi/15491.htm>

NB: Unofficial translation

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Election Act

(714/1998; amendments up to 218/2004 included)

PART I — COMMON PROVISIONS

Chapter 1 — General Provisions

Section 1 — Scope of Application

This Act contains, in addition to provisions regarding elections contained in the Constitution and the Municipalities Act (365/1994), provisions on how to carry out:

- 1) the election of members to Parliament (*parliamentary elections*);
- 2) the election of the President of the Republic (*the Presidential election*);
- 3) municipal elections; and
- 4) the election of members to the European Parliament from Finland (*European Parliamentary elections*).

Provisions regarding municipal elections in the Province of Åland are laid down in the Provincial Legislation of the Åland Islands.

Section 2 — Right to vote

In parliamentary elections, the Presidential election and European Parliamentary elections, every Finnish citizen is entitled to vote provided the person has reached the age of 18 not later than on the day of the election. In the Presidential election, the voting age must be reached not later than on the day of the first round of the Presidential election.

In European Parliamentary elections, a citizen of another European Union Member State is also entitled to vote provided the person has reached the age of 18 not later than on the day of the election and whose municipality of residence referred to in the Municipality of Residence Act (201/1994) is in Finland provided the person has not lost the right to vote in European elections in the country of which he/she is a citizen (*home state*).

Provisions regarding the right to vote in municipal elections are laid down in the Constitution and the Municipalities Act.

Voting by proxy is not allowed.

Section 3 — Eligibility

Provisions regarding eligibility in parliamentary elections and eligibility for the President of the Republic are laid down in the Constitution and eligibility in municipal elections in the Municipalities Act. Provisions laid down in section 164 apply to eligibility in European Parliamentary elections.

Section 4 — Election procedure

Elections shall be conducted by organizing *an advance vote* and *a polling day vote*.

The municipality is responsible for organizing the advance vote and the polling day vote in Finland, while the Ministry of Foreign Affairs is responsible for organizing the advance vote abroad.

Section 5 — Electoral districts in parliamentary elections

For the purpose of conducting parliamentary elections, the country has been divided into the following *electoral districts* in accordance with the provincial division:

- 1) the electoral district of Helsinki, which includes the city of Helsinki;
- 2) the electoral district of Uusimaa, which includes the municipalities of Askola, Espoo, Hanko, Hyvinkää, Inkoo, Järvenpää, Karjaa, Karjalohja, Karkkila, Kauniainen, Kerava, Kirkkonummi, Lapinjärvi, Liljendal, Lohja,

Loviisa, Myrskylä, Mäntsälä, Nummi-Pusula, Nurmijärvi, Pernaja, Pohja, Pornainen, Porvoo, Pukkila, Ruotsinpyhtää, Sammatti, Sipoo, Siuntio, Tammisaari, Tuusula, Vantaa, and Vihti;

3) the electoral district of Varsinais-Suomi, which includes the municipalities of Alastaro, Askainen, Aura, Dragsfjärd, Halikko, Houtskari, Iniö, Kaarina, Karinainen, Kemiö, Kiikala, Kisko, Korppoo, Koski TI, Kustavi, Kuusjoki, Laitila, Lemu, Lieto, Loimaa, Loimaan kunta, Marttila, Masku, Mellilä, Merimasku, Mietoinen, Muurla, Mynämäki, Naantali, Nauvo, Nousiainen, Oripää, Paimio, Parainen, Perniö, Pertteli, Piikkiö, Pyhäranta, Pöytyä, Raisio, Rusko, Rymättylä, Salo, Sauvo, Somero, Suomusjärvi, Särkisalo, Taivassalo, Tarvasjoki, Turku, Uusikaupunki, Vahto, Vehmaa, Velkua, Västanfjärd, and Yläne;

4) the electoral district of Satakunta, which includes the municipalities of Eura, Eurajoki, Harjavalta, Honkajoki, Huittinen, Jämijärvi, Kankaanpää, Karvia, Kiikoinen, Kiukainen, Kodisjoki, Kokemäki, Kullaa, Köyliö, Lappi, Lavia, Luvia, Merikarvia, Nakkila, Noormarkku, Pomarkku, Pori, Punkalaidun, Rauma, Siikainen, Säkylä, Ulvila, and Vampula;

5) the electoral district of Åland, which includes the municipalities of Brändö, Eckerö, Finström, Föglö, Geta, Hammarland, Jomala, Kumlinge, Kökar, Lemland, Lumparland, Maarianhamina, Saltvik, Sottunga, Sund, and Vårdö;

6) the electoral district of Häme, which includes the municipalities of Artjärvi, Asikkala, Forssa, Hartola, Hattula, Hauho, Hausjärvi, Heinola, Hollola, Humppila, Hämeenkoski, Hämeenlinna, Janakkala, Jokioinen, Kalvola, Kärkölä, Lahti, Lammi, Loppi, Nastola, Orimattila, Padasjoki, Renko, Riihimäki, Sysmä, Tammela, Tuulonen, and Ypäjä;

7) the electoral district of Pirkanmaa, which includes the municipalities of Hämeenkyrö, Ikaalinen, Juupajoki, Kangasala, Kihniö, Kuhmalahti, Kuru, Kylmäkoski, Lempäälä, Luopioinen, Längelmäki, Mouhijärvi, Mänttä, Nokia, Orivesi, Parkano, Pirkkala, Pälkäne, Ruovesi, Sahalahti, Suodenniemi, Tampere, Toijala, Urjala, Valkeakoski, Vammala, Vesilahti, Viiala, Viljakkala, Vilppula, Virrat, Ylöjärvi, and Äetsä; (247/2002)

8) the electoral district of Kymi, which includes the municipalities of Anjalankoski, Elimäki, Hamina, Iitti, Imatra, Jaala, Joutseno, Kotka, Kouvola, Kuusankoski, Lappeenranta, Lemi, Luumäki, Miehikkälä, Parikkala, Pyhtää, Rautjärvi, Ruokolahti, Saari, Savitaipale, Suomenniemi, Taipalsaari, Uukuniemi, Valkeala, Virolahti, and Ylämaa; (868/2003)

9) the electoral district of South Savo, which includes the municipalities of Enonkoski, Haukivuori, Heinävesi, Hirvensalmi, Joroinen, Juva, Kangasniemi, Kerimäki, Mikkeli, Mäntyharju, Pertunmaa, Pieksämäki, Pieksänmaa, Punkaharju, Puumala, Rantasalmi, Ristiina, Savonlinna, Savonranta, and Sulkava; (218/2004)

10) the electoral district of North Savo, which includes the municipalities of Iisalmi, Juankoski, Kaavi, Kangaslampi, Karttula, Keitele, Kiuruvesi, Kuopio, Lapinlahti, Leppävirta, Maaninka, Nilsä, Pielavesi, Rautalampi, Rautavaara, Siilinjärvi, Sonkajärvi, Suonenjoki, Tervo, Tuusniemi, Varkaus, Varpaisjärvi, Vehmersalmi, Vesanto, and Vieremä; (247/2002)

11) the electoral district of North Karelia, which includes the municipalities of Eno, Ilomantsi, Joensuu, Juuka, Kesälahti, Kiihtelysvaara, Kitee, Kontiolahti, Lieksa, Liperi, Nurmes, Outokumpu, Polvijärvi, Pyhäselkä,

Rääkkylä, Tohmajärvi, Tuupovaara, Valtimo, and Värtsilä;

12) the electoral district of Vaasa, which includes the municipalities of Alahärmä, Alajärvi, Alavus, Evijärvi, Halsua, Himanka, Ilmajoki, Isojoki, Isokyrö, Jalasjärvi, Jurva, Kannus, Karijoki, Kaskinen, Kauhajoki, Kauhava, Kaustinen, Kokkola, Korsnäs, Korttesjärvi, Kristiinankaupunki, Kruunupyy, Kuortane, Kurikka, Kälviä, Laihia, Lappajärvi, Lapua, Lehtimäki, Lestijärvi, Lohtaja, Luoto, Maalahti, Maksamaa, Mustasaari, Nurmo, Närpiö, Oravainen, Pedersören kunta, Perho, Peräseinäjoki, Pietarsaari, Seinäjoki, Soini, Teuva, Toholampi, Töysä, Ullava, Uusikaarlepyy, Vaasa, Veteli, Vimpeli, Vähäkyrö, Vöyri, Ylihärmä, Ylistaro, and Ähtäri;

13) the electoral district of Central Finland, which includes the municipalities of Hankasalmi, Joutsa, Jyväskylä, Jyväskylän maalaiskunta, Jämsä, Jämsänkoski, Kannonkoski, Karstula, Keuruu, Kinnula, Kivijärvi, Konnevesi, Korpilahti, Kuhmoinen, Kyyjärvi, Laukaa, Leivonmäki, Luhanka, Multia, Muurame, Petäjavesi, Pihtiputa, Pylkönmäki, Saarijärvi, Sumiainen, Suolahti, Toivakka, Uurainen, Viitasaari, and Äänekoski;

14) the electoral district of Oulu, which includes the municipalities of Alavieska, Haapajärvi, Haapavesi, Hailuoto, Haukiputaa, Hyrynsalmi, Ii, Kajaani, Kalajoki, Kempele, Kestilä, Kiiminki, Kuhmo, Kuivaniemi, Kuusamo, Käsämäki, Liminka, Lumijoki, Merijärvi, Muhos, Nivala, Oulainen, Oulu, Oulunsalo, Paltamo, Piippola, Pudasjärvi, Pulkkila, Puolanka, Pyhäjoki, Pyhäjärvi, Pyhäntä, Raahe, Rantsila, Reisjärvi, Ristijärvi, Ruukki, Sievi, Siikajoki, Sotkamo, Suomussalmi, Taivalkoski, Tyrnävä, Utajärvi, Vaala, Vihanti, Vuolijoki, Yli-Ii, Ylikiiminki, and Ylivieska; (218/2004)

15) the electoral district of Lapland, which includes the municipalities of Enontekiö, Inari, Kemi, Kemijärvi, Keminmaa, Kittilä, Kolari, Muonio, Pelkosenniemi, Pello, Posio, Ranua, Rovaniemi, Rovaniemen maalaiskunta, Salla, Savukoski, Simo, Sodankylä, Tervola, Tornio, Utsjoki, and Ylitornio.

Section 6 — *Division of parliamentary seats between electoral districts*

With the exception of the electoral district of Åland, a total of 199 representatives shall be elected by proportional vote in the other electoral districts. In the electoral district of Åland, one representative shall be elected in the manner laid down subsequently.

With the exception of the electoral district of Åland, the division of parliamentary seats shall be carried out on the basis of the number of those Finnish citizens who, according to the Population Information System, had their municipality of residence in Finland in the electoral district in question on the last day of the month six calendar months prior to the election. The division shall be carried out by dividing the number of Finnish citizens of each electoral district with the combined number of Finnish citizens of all electoral districts and multiplying this number by 199. The number of parliamentary seats for each electoral district shall correspond to the whole number derived from this calculation. If all seats are not divided in this manner, the remainder of the seats shall be divided in descending order between the electoral districts according to the decimal fractions derived from the calculation.

The Council of State shall carry out the division in good time before parliamentary elections by issuing a decision which shall be published in the

Statute Book of Finland.

Section 7 — *Electoral districts in other elections*

In the Presidential election and European Parliamentary elections, the country is one electoral district. In carrying out the technical arrangements for these elections, the electoral district division used in parliamentary elections shall be observed in the manner laid down subsequently.

In municipal elections, the municipality is the electoral district.

Section 8 — *Voting districts*

The municipality is *the voting district* unless there are grounds for dividing it into several voting districts. The council shall determine the voting districts. In making the decision, the changes in the municipal division coming into effect from the beginning of the following calendar year shall be taken into consideration. The council shall also determine to which voting district those persons belong who do not have a registered place of residence in the Population Information System.

The decision regarding the voting districts enters into force on October 15 provided the decision is made and notified to the local register office by April of the same year in the manner it specifies. If a decision is made or notified to the local register office later, it enters into force on October 15 the following year. If a decision to change the municipal division has been made after the decision regarding the voting districts, the council or, if a ministry has made the decision, the municipal board shall without undue delay review the voting district division.

The decision regarding the voting districts which has been notified to the local register office shall be observed regardless of an appeal submitted to the Administrative Court, unless the Administrative Court rules otherwise, until the appeal has been settled. The decision of the Administrative Court regarding the appeal is not subject to appeal.

Section 9 — *Advance polling stations and polling stations on polling day*

Advance polling stations are:

- 1) those general advance polling stations in Finland the number and location of which the municipal board decides and, unless there are specific grounds for deciding otherwise, there shall be at least one in each municipality;
- 2) Finnish embassies and their offices as laid down by a Government Decree;
- 3) hospitals, operational units of the social services offering round-the-clock treatment and other units determined by the municipal board and prisons (*institution*);
- 4) Finnish ships which are abroad when the advance vote is being conducted.

In addition, the advance vote may, subject to the conditions laid down subsequently, be conducted in the voter's residence (*at-home voting*).

Each voting district has a *polling day polling station* determined by the municipal board. For specific reasons, the polling station may be situated outside the voting district or the municipality, if this does not cause undue hardship to the voters.

The municipal board shall see to it that the name, address, opening days and daily opening hours of each general advance polling station in the municipality and the name and address of the polling day polling station and other information specified by the Ministry of Justice is registered without undue

delay in *the polling station register* maintained by the Population Register Centre. Those general advance polling stations and polling day polling stations in Finland which have been registered in the polling station register by the end of the day 51 days prior to the election shall be the polling stations used in the election even if a claim for rectification submitted against the decision of the municipal board referred to in this section has not been processed and even if the municipal appeal submitted to the Administrative Court seeking to change the decision has not been settled. The claim for rectification submitted to the municipal board and the municipal appeal submitted against the decision of the municipal board shall be processed urgently. The decision of the Administrative Court regarding the appeal is not subject to appeal.

Chapter 2 — **Election authorities**

Section 10 — *Consideration of election affairs in the Council of State*

In the Council of State, the Ministry of Justice shall act as the highest election authority.

Section 11 — *Electoral district committee*

The State Provincial Office shall, in good time before parliamentary elections, appoint an electoral district committee for each electoral district referred to in section 5. Its term of office shall continue until a new committee has been appointed. The committee is appointed by the State Provincial Office in whose province the committee meetings are held.

The electoral district committee consists of a chairperson, deputy chairperson and three other members and four deputy members. Both the members and deputy members shall, if possible, represent the political parties which in the previous parliamentary elections nominated candidates and were registered in the register of political parties in the electoral district. The member or deputy member who, according to the candidate application received by the committee, have been nominated as a candidate by a party or a constituency association cannot participate in the work of the committee in the elections in question.

The electoral district committee of Helsinki and the electoral district committee of Uusimaa shall hold their meetings in the city of Helsinki, the electoral district committee of Varsinais-Suomi shall hold its meetings in the city of Turku, the electoral district committee of Satakunta shall hold its meetings in the city of Pori, the electoral district committee of Åland shall hold its meetings in the city of Maarianhamina, the electoral district committee of Häme shall hold its meetings in the city of Hämeenlinna, the electoral district committee of Pirkanmaa shall hold its meetings in the city of Tampere, the electoral district committee of Kymi shall hold its meetings in the city of Kouvola, the electoral district committee of South Savo shall hold its meetings in the city of Mikkeli, the electoral district committee of North Savo shall hold its meetings in the city of Kuopio, the electoral district committee of North Karelia shall hold its meetings in the city of Joensuu, the electoral district committee of Vaasa shall hold its meetings in the city of Vaasa, the electoral district committee of Central Finland shall hold its meetings in the city of Jyväskylä, the electoral district committee of Oulu shall hold its meetings in the city of Oulu, and the electoral district committee of Lapland shall hold its meetings in the city of Rovaniemi.

Section 12 — *The work of the electoral district committee*

The electoral district committee constitutes a quorum when five members are present. If a member or a deputy member has died or has been released from his or her duties, a new member or a deputy member shall be elected in his or

her place for the remainder of the term of office.

The electoral district committee shall appoint a secretary and other necessary staff. Apart from the persons who are entitled to participate in the meetings of the electoral district committee on the grounds of their duties referred to in this Act, the committee shall decide upon the right of attendance and the right of speech of other persons in its meetings.

Minutes shall be kept during the meetings of the electoral district committee.

The chairperson shall sign and the secretary shall confirm the minutes and committee documents.

Section 13 — *Municipal central election committee*

For the duration of its term of office, the council shall appoint *a municipal central election committee* for the municipality.

The municipal central election committee consists of a chairperson, deputy chairperson and three other members and the necessary number of deputy members, of which there shall be at least five. The deputy members shall be listed in the order in which they replace the members. Both the members and deputy members shall, if possible, represent the voter groups which in the previous municipal elections nominated candidates in the municipality. The member or deputy member who, according to the candidate application received by the central election committee, has been nominated as a candidate by a party or a constituency association cannot participate in the work of the central election committee in the elections in question.

The provisions on the municipal central election committee laid down in this Act shall apply, as appropriate, to the committee which in each municipality in the Province of Åland has been appointed for the purpose of conducting municipal elections and which shall act as the municipal central election committee in parliamentary elections, the Presidential election and European Parliamentary elections.

The municipal central election committee shall notify the Population Register Centre of its contact information in the manner it specifies.

Section 14 — *The work of the municipal central election committee*

The municipal central election committee constitutes a quorum when five members are present. If a deputy member has died, is prevented or disqualified from attending to his or her duties, the municipal board may, if necessary, appoint a temporary deputy member.

The municipal central election committee shall appoint a secretary and other necessary staff. Apart from the persons who are entitled to participate in the meetings of the municipal central election committee on the grounds of their duties referred to in this Act, the committee shall decide upon the right of attendance and the right of speech of other persons in its meetings.

The municipal central election committee is not subject to administrative regulations regarding the right of attendance and the right of speech of the municipal board representative and the head of the municipality in meetings or the right to transfer the matter to a higher authority as referred to in section 50 of the Municipalities Act.

Section 15 — *Election committee and electoral commission*

The municipal board shall, in good time before the elections, appoint:

- 1) *an election committee* for each voting district consisting of a chairperson, a deputy chairperson and three other members and the necessary number of deputy members, of which there shall be at least three; and
- 2) one or more *electoral commissions* for the purpose of conducting the

advance vote in an institution and at-home voting, each consisting of a chairperson, a deputy chairperson and three other members and the necessary number of deputy members, of which there shall be at least three.

Both the members and deputy members of the election committee and electoral commission shall, if possible, represent the political parties which in the previous parliamentary elections nominated candidates and were registered in the register of political parties in the electoral district in question. However, in municipal elections, the members and deputy members shall, correspondingly, represent the voter groups which in the previous municipal elections nominated candidates in the municipality. For the purpose of conducting the advance vote in institutions, the deputy members of the election committee and the deputy members of the electoral commission shall be listed in the order in which they replace the members. A person who is a candidate in the election cannot be a member or a deputy member of the electoral commission.

The names and contact information of the chairpersons and deputy chairpersons of the election committees and electoral commissions shall be notified to the municipal central election committee.

Section 16 — The work of the election committee and electoral commission

The election committee and the electoral commission constitute a quorum when three persons are present.

The election committee shall appoint one or more election assistants for the polling day vote. Further provisions on the election assistant are laid down in section 73. For the purpose of counting and sorting of ballots, the election committee may appoint counting staff to assist it.

The election committee and the electoral commission are not subject to administrative regulations regarding the drawing up, the inspection and the display of the minutes, the deferral of the matter to a later meeting, the right of attendance and the right of speech of the municipal board representative and the head of the municipality in meetings, the right to transfer the matter to a higher authority nor municipal finances as referred to in section 50 of the Municipalities Act.

Section 17 — Election officials

Election officials shall conduct the advance vote in general advance polling stations in Finland, in a Finnish embassy and on a Finnish ship and at-home voting. There shall be at least two election officials in each general advance polling station in Finland. In other advance polling stations, there may be, if necessary, two or more election officials.

The municipal central election committee shall appoint the election officials for a general advance polling station in Finland. In other cases, the election officials shall be:

- 1) in Finnish embassies, the Head of Mission or the person appointed by the Head of Mission;
- 2) on a Finnish ship, the Master of the ship or a person serving on the ship appointed by the Master of the ship;
- 3) in at-home voting, the member or the deputy member of the election commission appointed by the chairperson of the municipal central election committee.

For the purpose of conducting the advance vote in a general advance polling station in Finland, at least two election officials shall be available simultaneously. For the purpose of conducting the advance vote in other

advance polling stations for which two or more election officials have been appointed or assigned, it shall be sufficient that one election official is available. One election official shall conduct each individual at-home vote. A person who is a candidate in the election in question cannot act as an election official.

Chapter 3 — **Voting register**

Section 18 — *Establishing the voting register and the information contained in this*
The Population Register Centre shall establish a register at least 46 days prior to the polling day in which each person is entered who, according to the Population Information System, has the right to vote in the upcoming elections (*voting register*).

The following information on each enfranchised person shall be entered in the voting register as the information appears in the Population Information System at 12 midnight 51 days prior to the polling day:

- 1) personal identity code;
- 2) full name;
- 3) with the exception of municipal elections, the electoral district referred to in section 5;
- 4) the municipality of residence in Finland as referred to in the Municipality of Residence Act;
- 5) the voting district;
- 6) the polling station used on polling day and its address;
- 7) the native language of the person, if the language is Icelandic, Norwegian, Swedish or Danish;
- 8) with the exception of municipal elections, the country of residence, if the country is not Finland;
- 9) the local register office in whose administrative district the municipality of residence is located;
- 10) the date of registration.

If the enfranchised person does not have a municipality of residence in Finland 51 days prior to the polling day, the municipality entered in the population register as referred to in the Municipality of Residence Act shall be entered in the voting register instead of the municipality of residence. If the said municipality is no longer part of the territory of Finland, the city of Helsinki shall be entered in the voting register instead. Thus, according to section 8(1), the enfranchised person belongs to the voting district determined by the council for those people who do not have a registered residence in the population information system.

After establishing the voting register, the following information on the enfranchised person shall be entered in the register:

- 1) information stating the death of the person if the enfranchised person has died;
- 2) if the person has been entered in the voting register as ineligible to vote in the manner laid down in section 26; a note of the same;
- 3) information stating any claims for rectification and the decisions reached in the matter;
- 4) information stating whether the enfranchised person has used his or her right to vote

A citizen of another European Union Member State who has the right to vote in European Parliamentary elections in Finland shall be entered in the voting register used in European Parliamentary elections provided the person has

notified in writing the wish to use his or her right to vote in European Parliamentary elections in Finland. Furthermore, it is required that the person, provided he or she has had a permanent municipality of residence in Finland after the notification, has not withdrawn the notification. The notification and the withdrawal of the notification shall be notified to the local register office by 4 p.m. at least 80 days prior to the polling day.

Section 19 — *Additional information entered in the voting register in municipal elections and European Parliamentary elections*

In municipal elections, in addition to what is laid down in section 18(2), the following information on each person who is not a citizen of Finland but who has the right to vote shall be entered in the voting register:

- 1) nationality;
- 2) if the person is not a citizen of another European Union Member State, Iceland or Norway, the period of time the person has continuously had a municipality of residence in Finland.

In European Parliamentary elections, in addition to what is laid down in section 18(2), the nationality of each enfranchised person shall be entered in the voting register, if the person is not a citizen of Finland.

Section 20 — *The use of the voting register in the Presidential election*

In the Presidential election, the same voting register shall be used in the first and the second round of the Presidential election.

Section 21 — *Polling card*

The Population Register Centre shall compile a polling card on each person entered in the voting register, which shall include:

- 1) the information referred to in section 18, subsection 2(2), (5) and (6);
- 2) the address of the enfranchised person which is in the Population Information System at 12 midnight 51 days prior to the polling day;
- 3) the information stating in which election and voting district or municipality the recipient of the card is entitled to vote;
- 4) the information stating the polling day and the period of advance voting;
- 5) the contact information of the local register office which has been marked as the sender of the card and the municipal central election committee;
- 6) the information stating the register or the information system on which the information on the card is based;
- 7) instructions on how to use the card and the voting procedure.

The polling card may also include, where applicable, the information referred to in section 18(2) and (3) in optically readable form.

The polling card shall be compiled so that it can be used as a covering letter in other forms of advance voting with the exception of at-home voting.

The Population Register Centre shall see to it that the polling cards are sent at least 24 days prior to the polling day to the persons with a known address who have the right to vote. In European Parliamentary elections, however, the card shall not be sent to the persons who have been entered in the voting register in accordance with section 26(5) by the Population Register Centre as ineligible to vote.

In the Presidential election, two polling cards shall be sent to the enfranchised persons, one for each round of the Presidential election.

Section 22 — *Informing the citizens of other European Union Member States in municipal elections and European Parliamentary elections*

Whenever possible, the Population Register Centre shall notify in an appropriate

way in good time before municipal elections and European Parliamentary elections all citizens of another European Union Member State who fulfil the conditions required of enfranchised persons that they have, according to the Population Information System, the right to vote in the election and that they are eligible, and also inform them of the procedure which is necessary in order to use the right to vote and to meet the eligibility requirements.

Section 23 — *Inspecting the information in the voting register*

With the exception of the personal identity code, the information in the voting register referred to in section 18(2) and (3) shall be displayed for inspection at local register offices and may be obtained free of charge via telephone from there and, as determined by the Population Register Centre, also at other locations during office hours on working days from 41 days prior to the polling day onwards.

Local register offices may issue extracts from the voting register. An extract shall be given free of charge to the person whose information is contained in the extract and to the authority referred to in this Act.

The Population Register Centre shall notify in the *Official Gazette* or by other means considered suitable where the information in the voting register can be found and how to submit a claim for rectification.

If the local register office has issued an injunction against the disclosure of personal data as referred to in section 25(4) of the Population Information Act (507/1993), for inspection of the personal data entered in the voting register. (247/2002) only the information referred to in section 18, subsection 2(2), (7) and (10) of this Act may be displayed

Section 24 — *Claim for rectification*

A person who considers that he/she has been unlawfully omitted from the voting register, or that his or her entry in this is incorrect, may submit a written claim for rectification to the local register office by 4 p.m. at least 16 days prior to the polling day.

A claim for rectification may also be based on such factors affecting the right to vote which have occurred after the voting register was established.

If a notification of change of address as referred to in the Municipality of Residence Act by the enfranchised person reaches the local register office later than 51 days prior to the polling day, the enfranchised person cannot demand a rectification of the information regarding him or her in the voting register referred to in section 18, subsection 2(3-6) based on this notification of change of address.

A claim for rectification may be submitted by using a form compiled for this purpose. The Population Register Centre shall see to it that the local register offices and other locations which display the information in the voting register have these forms printed or copied.

Section 25 — *Decision of the local register office*

The local register office shall issue a decision on the claim for rectification by the 13th day prior to the polling day at the latest; and make the possible changes to the voting register at the latest before 12 a.m. on the 12th day prior to the polling day.

The local register office shall without delay inform the party that has claimed rectification of its decision. The decision shall be sent by registered post, but it may be delivered in any other verifiable mode, provided this does not cause a delay.

If the decision involves entering the person in the voting register, the register

office must at the same time deliver to him or her a polling card. If the recipient's mailing address is unknown, the decision shall be published in the *Official Gazette*.

Section 26 — *Rectification by the Population Register Centre or a local register office*

If the Population Register Centre or a local register office considers that someone has been unlawfully omitted from or included in the voting register, or if an entry in the register regarding someone is incorrect, it has an ex officio right to add the person to the register, list him or her as ineligible to vote or correct the relevant incorrect entry. Changes shall be made at the latest before 12 a.m. on the 12th day prior to the polling day.

A written decision shall be made when listing a person as ineligible to vote in the voting register; and served on the person concerned as provided in section 25 (2). However, no written decision shall be made if the person is deceased or has been pronounced dead after the establishment of the voting register.

When adding a person to the voting register, a polling card shall be sent to him or her without delay. When correcting an incorrect entry in the register, the person concerned shall be notified without delay, unless this is clearly unnecessary.

If the Population Register Centre has, before the voting register of the European Parliamentary elections gained legal force, received a notice from an authority in any other European Union Member State that a person listed as eligible to vote in the voting register has been listed in the electoral roll for the same elections in the said state, it shall without delay see to it that the person concerned is listed in the voting register as ineligible to vote.

Section 27 — *Appealing to the Provincial Administrative Court*

A decision of a local register office rejecting or dismissing a claim for rectification, and a decision of the Population Register Centre or a local register office referred to in section 26 (2) may be appealed against to the Provincial Administrative Court. The appeal shall be lodged at the latest on the seventh day after the party has received service of the decision or the decision has been published in the *Official Gazette*. A letter of appeal addressed to the Provincial Administrative Court may within the appeal period be delivered to the local register office to be forwarded to the Provincial Administrative Court. In other respects, the appeal is subject to the provisions of the Administrative Judicial Procedure Act (586/1996).

The Provincial Administrative Court shall without delay inform the appellant and the local register office of its decision. If the decision involves entering the person into the voting register or changing information about him or her, the Provincial Administrative Court shall without delay inform the Population Register Centre which is responsible for the required changes in the voting register about the decision. If the Provincial Administrative Court issues such a decision later than before 7 p.m. on the fourth day on the polling day, it shall without delay deliver the decision to the central election committee of the municipality in question, which shall add it to the electoral roll referred to in section 71. If the appeal has been rejected or dismissed, the Provincial Administrative Court shall inform the Population Register Centre, which is responsible for recording it in the voting register.

A decision of the Provincial Administrative Court referred to in this section is not open to appeal.

Section 28 — *Validity of the voting register*

The voting register enters into force at 12 a.m. on the 12th day prior to the

polling day.

The valid voting register shall be adhered to without alterations. The voting register is considered legally valid although the Provincial Administrative Court has not issued a decision on an appeal lodged with the court before the voting register has entered into force.

If someone has obviously incorrectly under section 26 (1) been listed in the voting register as ineligible to vote, the Population Register Centre may delete the entry from the valid register.

A person who on the polling day provides the election committee with a decision of the Provincial Administrative Court or the Supreme Administrative Court stating that he/she is entitled to vote, has the right to cast a vote. The person is obliged to submit the decision or a copy of it to the election committee.

Section 29 — *Use of the voting register*

As provided in Chapters 5 and 6, when and where an enfranchised person has voted shall be entered into the voting register. The entry may be made by an election official of a general advance polling station in Finland, the chairperson of the election commission, the election committee, the municipal central election committee or by the local register office at the request of the central election committee. If the entry is found to be incorrect, it may only be corrected by the municipal central election committee or, at its request, by the local register office.

The entries relating to voting shall not be made public until after the voting on the polling day has ended. If a second round is conducted in the Presidential election, the entries relating to the voting in the first round of the election do not become public until the voting on the polling day of the second round has ended.

After the result of the election has entered into force, records prescribed by the Ministry of Justice are drawn from the voting register for archive use.

Thereafter the Population Register Centre destroys the information in the register.

Chapter 4 — **Election authorities' duties in the nomination of candidates**

Section 30 — *Nomination of candidates*

Nominations by political parties (*party*) which have been entered into the party register and by constituency associations established by enfranchised persons; the application to publish a list of candidates in a combined list of candidates and the application for including a candidate in the list of candidates in the Presidential election (*candidate applications*); as well as the delivery of the applications to the authority processing the candidate applications shall be subject to the provisions of Part II.

Section 31 — *Authority processing the candidate applications*

The candidate applications shall be processed by:

- 1) the electoral district committee in the parliamentary elections;
- 2) the electoral district committee of Helsinki in the Presidential election and European Parliamentary elections;
- 3) the municipal central election committee in the municipal elections.

Section 32 — *Notices regarding parties*

The Ministry of Justice shall not later than on the 48th day prior to the polling day notify the authorities processing the candidate applications, with the exception of the electoral district committee of the Åland Islands, of the parties that have been entered in the register of political parties, and of the persons who are entitled to sign for the party.

Section 33 — *Statutory meetings of election authorities*

The authority handling the candidate applications shall convene at the call of the chairperson in good time at the latest on the 48th day prior to the polling day, and thereafter, if outstanding issues remain, on the 40th, 34th, 32nd and 31st day prior to the polling day, on the polling day, the day after the polling day and on the 3rd day after the polling day, and at any other time if matters so demand.

Section 34 — *Instructions on submitting the documents and publishing the instructions*

In a meeting at the latest on the 48th day prior to the polling day, the authority handling the candidate applications shall instruct to whom, on what date and at what time and where the candidate applications and other documents relating to the nomination of candidates intended for the authority shall be submitted. An announcement of the instructions shall be drafted and the information shall be given to the election representatives assigned by the parties and displayed in the meeting facilities of the authority and published in the municipal elections in the manner in which municipal notices are normally made public, and in other elections in the *Official Gazette*.

Section 35 — *Obligation to verify the documents*

The authority handling the candidate applications shall examine whether candidate applications and notices of electoral alliances and joint lists have been submitted within the period of time determined under this Act; whether the documents have been drafted in the form pursuant to what is provided in and under this Act; whether candidates are eligible and whether there are any other legal impediments to their candidacy.

It shall not be the duty of the authority handling the candidate applications to examine how the vote by the members and the nomination procedures have been conducted in the party or in its district, local or other organization, or how the vote has been conducted in a municipal association representing party members.

Section 36 — *Handling and commenting on the candidate applications*

Candidate applications and the attached documents shall be examined in the meeting held on the 34th day prior to the polling day.

If the candidate application or notice of electoral alliance has not been submitted to the authority within the prescribed period, it shall not be examined.

The election representative of the party, joint list or a constituency association not belonging to a joint list shall be informed without delay, if:

- 1) the candidate application or notice of electoral alliance has not been prepared complying with what is provided in and under this Act, or the documents required by this Act have not been attached to the candidate application;
- 2) the candidate application documents are considered not to be in accordance with the law for a reason other than that referred to in paragraph 1; or
- 3) a candidate has been nominated who is not eligible or who has been nominated in two or more lists in the same elections.

Section 37 — *Determining the order of candidates*

The order of the parties, joint lists and constituency associations for the combined list of candidates and the order of the candidates for the candidate list in the Presidential election shall be determined in the meeting referred to in section 36.

In the parliamentary elections, municipal elections and European Parliamentary elections a random draw is conducted to determine:

- 1) the order of alliances and non-aligned parties;
- 2) the order of parties that have formed an electoral alliance; and
- 3) the order of the joint lists.

Constituency associations not belonging to a joint list shall be arranged in alphabetical order.

In the Presidential election, the order of the candidates shall be determined by a draw in the first round of the election and the candidates are accordingly assigned a number starting with the number 2. The Chancellor of Justice must be present at the draw. In the second round of the election, the candidates shall keep the number they had in the first round.

Section 38 — Measures by election representatives regarding observations

The election representatives who have received observations have the right at the latest before 4 p.m. on the 32nd day prior to the polling day to make the necessary corrections and supplement the candidate application and the attached documents. Within the same time period, the election representatives have the right to provide revisions to the name, title, occupation or position held, or municipality of residence. If the observation was given regarding a notice of electoral alliance, the election representatives of the parties have the right to jointly supply a written proposal to rectify the notice of electoral alliance.

If the observation was given for a reason mentioned in section 36 (3) (3), the election representative has the right to remove the candidate referred to in the afore-mentioned section of law within the time period laid down in subsection 1 of this section.

Section 39 — Decisions on the candidate applications

The candidate applications and the attached documents that have arrived within the stipulated time shall be reviewed again in the meeting held on the 32nd day prior to the polling day. On the same occasion, decisions shall be made on the candidate applications as well as notices of electoral alliances and joint lists.

Candidate applications and notices of electoral alliances and joint lists that have been submitted within the stipulated time and against which no observations have been made shall be accepted.

Section 40 — Measures taken after decisions on the candidate applications

If the observation referred to in section 38 (2) has been made and no satisfactory notice of rectification has been supplied, or if the notice of removing the said candidate has not been delivered within the stipulated time, or if the candidate is deceased, the candidate shall not be included in the combined list of candidates or in the list of candidates in the Presidential election. The election representative of the party, constituency association or joint list is obliged without delay to notify the authority handling the applications of the death of a candidate

The party or constituency association whose notice of participating in an electoral alliance or a joint list has not been accepted has the right to cancel its candidate application. The election representative of the party or constituency association shall deliver to the authority handling the applications a written cancellation at the latest before 12 a.m. on the 31st day prior to the polling day. Matters relating to the approval of the candidate application shall be dealt with again as a result of the cancellation.

Decisions on the issues referred to in this section shall be made in the meeting held on the 31st day prior to the polling day before the combined list of candidates or the candidate list in the Presidential election is prepared.

Section 41 — *Preparing a combined list of candidates*

The authority handling the candidate applications shall in the meeting held on the 31st day prior to the polling day prepare a *combined list of candidates*, in which the following is printed on one side:

- 1) a common heading to clarify for which elections the list has been drawn up; and
- 2) the candidate lists of parties, the joint lists and the candidate lists of constituency associations not belonging to a joint list.

The candidate lists of non-aligned parties and of the parties that have established an electoral alliance, and joint lists and candidate lists of constituency associations not belonging to a joint list shall be placed in the order referred to in sections 37 (2) and 37 (3) in such a way that first the candidate lists of parties are grouped from left to right, then the joint lists are grouped in the same manner and lastly the candidate lists of constituency associations not belonging to a joint list shall be placed one below the other in alphabetical order. The candidates shall be assigned a number in this order starting with the number 2.

If the number of parties, electoral alliances and joint lists is so large that grouping them from left to right would significantly impair the legibility of the combined list, they or part of them may also be grouped one below the other following the order of the draw. The candidate lists of parties that form an electoral alliance shall be sufficiently distinguished from the candidate lists of non-aligned parties. Below the candidate lists of parties in an electoral alliance it shall be indicated that the said parties form an electoral alliance.

The information regarding the candidates of parties and joint lists shall be marked under the name of the party or joint list in question and grouped in one column from top to bottom, or, if this is not practical because of the large number of candidates, in two or more columns row by row from left to right. The information regarding candidates not belonging to a joint list shall be entered in the farthest right, one below the other in numerical order and be clearly distinguished from each other.

Each candidate's number, name and title, occupation or position using a maximum of two expressions and the municipality of residence in elections other than municipal elections shall be entered in the combined list. The candidate's most commonly used name or abbreviated first name may be used together with or instead of the candidate's first name. No additional information about the candidate shall be included, unless this is necessary to specify the identity of the candidate. Personal identity codes shall not be included in the combined list.

The names of the parties shall be included in the combined list in compliance with section 4 of the Act on Political Parties (10/1969) and section 9 (2) of the Associations Act (503/1989). The joint list shall be assigned the proposed name, or if the name is not in accordance with the provisions of Part II, or if no name has been suggested, the authority handling the candidate applications assigns a name that merely signifies the order of the joint list in the combined list with respect to the other joint lists. No name shall be assigned to the constituency associations not belonging to a joint list.

Section 42 — *Lists of candidates in the Presidential election*

After the Ministry of Justice has been notified of the candidates, the electoral district committee of Helsinki prepares for the Presidential election the *list of candidates*, which is governed, as appropriate, by the provisions in section 41 on the combined list of candidates.

If a second round of the Presidential election is conducted, the electoral district committee of Helsinki without delay prepares a list of candidates for the second round in which the candidates are listed in the same order and with the same numbers as in the candidate list of the first round.

In other respects, the candidate list for the second round is subject to the provisions of section 41 on the combination list of candidates.

Section 43 — *National register of candidates*

The Ministry of Justice shall establish a register, which includes every candidate in the whole country in the combined lists of candidates in the relevant elections or candidates in the candidate list for the Presidential election (*national register of candidates*).

The authority handling the candidate applications shall on the 31st day prior to the polling day see to it that the national register of candidates includes the information given about a candidate in the combined list of candidates or in the list of candidates for the Presidential election, as well as the candidate's personal identity code.

The information in the register of candidates is available free of charge to the candidate, the party and the joint list that nominated the candidate, and to the authorities referred to in this Act.

If necessary, the Ministry of Justice shall prepare a printout of the national register of candidates, which includes by constituency or municipality the information concerning each candidate apart from the personal identity code.

The Ministry shall see to it that a sufficient number of printouts are distributed to the central election committees of the municipalities, the election commissions, the election officials of domestic advance polling stations as well as to the Ministry for Foreign Affairs to be forwarded to Finnish diplomatic missions and Finnish ships serving as advance polling stations.

The information in the national register of candidates shall be destroyed once the result of the elections has entered into force.

Section 44 — *Distribution and notification of the combined list of candidates and the candidate list in the Presidential election*

The electoral district committee shall distribute a sufficient number of the combined lists of candidates in the parliamentary elections

- 1) to the central electoral committee of the municipalities in the constituency, to be forwarded to the election committees, election commissions and election officials in addition to municipal boards of the municipalities in the constituency;
 - 2) to other electoral district committees, to be forwarded to the central election committees and election commissions of the municipalities in their constituencies and to election officials of the general advance polling stations in Finland;
 - 3) to the election representatives of parties, joint lists and constituency associations not belonging to a joint list which have nominated candidates in the constituency; and
 - 4) to the Ministry of Justice and the Ministry for Foreign Affairs, to be forwarded to the election officials of advance polling stations abroad.
- The combined lists shall also be available to the public.

The municipal central election committee shall notify the voters of the combined list of candidates in the municipal elections, or of the information therein, or the information regarding where the list can be viewed, in the manner in which municipal notices are normally made public, as well as by publishing a notice in the meeting facilities of the central election committee. A sufficient number of the lists shall be distributed well before the elections to the municipal board, the election committee, the election commissions and elections officials in the general advance polling stations within the municipality. Additionally, the lists shall be distributed to the election representatives of parties, joint lists and constituency associations not belonging to a joint list which have nominated candidates in the constituency. The combined lists shall also be available to the residents of the municipality. The electoral district committee of Helsinki is responsible for distributing the combined lists of candidates in the European Parliamentary elections and the lists of candidates in the Presidential election in compliance with, as appropriate, the provisions in subsection 1 on the distribution of the combined lists of candidates in the parliamentary elections. If the list of candidates for the second round of the Presidential election cannot be delivered prior to the beginning of advance voting in the second round, the election official and the election commission shall see to it that the information in the list of candidates is on display as required by the Ministry of Justice.

Section 45 — Denial of appeal

The decision referred to in this Chapter, with the exception of the decision on the information provided from the register of candidates, shall not be open to appeal.

Chapter 5 — Advance voting

Section 46 — Right to vote in advance

Every enfranchised person is entitled to vote in advance in the general advance voting polling stations in Finland and in the Finnish diplomatic missions abroad. An enfranchised person who is in hospital, in a facility with round-the-clock treatment care or in any other operational unit of social services designated by the municipal executive board as an advance polling station, or in prison, may vote in advance in the said institution. An enfranchised person who is member of the crew on a Finnish ship may vote in advance on board the ship while it is in foreign waters.

Enfranchised persons whose ability to move or function is limited to the degree that they are unable to come to the polling or advance polling station without undue hardship, may, pursuant to the provisions in section 55, vote in advance at home in the Finnish municipality which has been registered as their municipality of residence in the voting register.

Section 47 — Time period for advance voting

The advance voting shall begin on the 11th day prior to the polling day and end outside Finland on the 8th day and in Finland on the 5th day prior to the polling day. On board a Finnish ship, the advance voting may, with the exception of the second round in the Presidential election, begin already on the 18th day prior to the polling day.

A general advance polling station in Finland is open for advance voting on all days in the time period referred to in subsection 1, unless for special reasons otherwise laid down by a decision of the municipal executive board.

The period of time allowed for advance voting in Finnish diplomatic missions and their offices may, as provided by Government decree, be shorter than what

is provided in subsection 1.

Section 48 — *Advance voting times*

Advance voting is conducted in the period of time allowed for voting:

- 1) in a general advance polling station in Finland during the time specified by a decision of the municipal executive board, which may not be before 8 a.m. or after 8 p.m. on weekdays, or before 10 a.m. or after 4 p.m. on Saturdays and Sundays;
- 2) in a Finnish diplomatic mission on each day specified by the Head of Representation, with the exception of Easter Sunday, Whitsunday, Midsummer Day, Christmas Eve or Christmas Day and Boxing Day;
- 3) in an institution with a minimum of one day and a maximum of two days during the times specified by the election commission;
- 4) on board a Finnish ship with a minimum of one day during the times specified by the master of the ship;
- 5) in at-home voting at a specified time between 9 a.m. and 8 p.m. which the voter has been informed about.

In addition to the provisions in subsection 1, paragraph 1, advance voting shall not be conducted on New Year's Eve or Day, Epiphany, Easter Sunday, May Day Eve and May Day, Whitsunday, Midsummer Eve or Day, Independence Day, or Christmas Day or Boxing Day.

An enfranchised person who has arrived at an advance polling station at the time referred to in subsection 1 but has not been able to cast a vote during that time, may vote after the said time.

Section 48a — *Facilities for advance voting*

The municipal central election committee shall see to it that all general advance polling stations in Finland determined as such by a decision of the municipal executive board have the appropriate *facilities for advance voting* and appropriate equipment.

The advance polling station shall also allow sufficient room for the voters that are awaiting their turn to vote.

Section 49 — *Informing about advance voting*

The municipal central election committee shall give information about the general advance polling stations within the municipality and about the voting times in the manner in which municipal notices are normally made public. The election officials and the election commission are responsible for giving information about the voting times and arrangements for advance voting by posting notices at the advance polling station or if necessary by other suitable means.

The Ministry of Justice shall in an adequate and suitable manner give information about the general advance polling stations and the voting times thereof.

Section 50 — *Advance voting documents*

A ballot, an election envelope, a covering letter and an envelope for the covering letter (*advance voting documents*) prepared by the Ministry of Justice shall be used in advance voting. The polling card referred to in section 21 or a separate covering letter form shall be used as the covering letter. However, a separate covering letter form for at-home voting shall be used when voting at home.

Section 51 — *Ballot*

The *ballot* used in elections shall be printed on white paper. The ballot shall include clear instructions on how to fold it, and it shall ensure the secrecy of the ballot.

The ballot shall be standard size 148 x 210 mm, and inside it shall be printed a heading giving information as to which elections it is for. In addition there is a circle inside with a diameter of 90 mm which itself is not folded when the ballot is folded. The symbol No. shall be clearly indicated in the middle of the circle for the voter to mark the number of the candidate he/she wishes to vote for. No other markings shall be made on the ballot.

Section 52 — *Election stamp*

The ballots shall be stamped with an election stamp, which is identical in all polling and advance polling stations. The stamp is approved by the Ministry of Justice, which has the stamps made and provides the municipal central election committees with instructions on acquiring and preserving the stamps.

Section 53 — *Delivering documents and election stamps*

The Ministry of Justice shall well before the beginning of advance voting deliver, with the appropriate instructions, advance voting documents and forms for lists of voters to the election officials of general advance polling stations in Finland and the municipal election committees to be forwarded to election commissions. These documents and forms shall also be delivered to the Ministry for Foreign Affairs to be forwarded to Finnish diplomatic missions serving as advance polling stations and to the masters of Finnish ships.

The municipal central election committee shall deliver election stamps to the election officials of general advance polling stations in the municipality and to the election commissions. The central election committee of the city of Helsinki shall also deliver stamps to the Ministry for Foreign Affairs to be forwarded to diplomatic missions and masters of ships.

The master of the ship shall order the advance voting documents, the forms for the lists of voters and the election stamp from the Ministry for Foreign Affairs or from a Finnish diplomatic mission.

Section 54 — *Person present for at-home voting*

The election official in at-home voting shall see to it that besides him or herself, a voter-appointed or voter-approved person over 18 years is present at the at-home voting and this person is not acting as an election official. A person standing as a candidate in the elections in question may not act in this role.

Section 55 — *Preparatory measures for at-home voting*

Persons entitled to at-home voting shall in writing or by telephone notify the central election committee of their municipality of residence about their willingness to vote in advance at home at the latest before 16 p.m. on the 12th day prior to the polling day. The notice may be prepared on the voter's behalf by a person appointed by the voter. The written notice, which shall be signed, may be made using the form designed for this purpose.

The following shall be included in the notice:

- 1) the voter's full name, personal identity code, address, municipality of residence, telephone number and, if the notice is prepared by the enfranchised person, his or her name and contact information;
- 2) that the voter's ability to move and function is limited to the degree that he or she is unable to come to the polling or advance polling station without undue hardship, and that he or she wishes therefore to vote at home in advance; and
- 3) whether the voter him/herself is able to see to it that such a person as is referred to in section 54 is present for the at-home voting.

The election official is, if this is possible, responsible for removing any inadequacy in the notice and ensuring that the notice has been prepared by the

said voter or the voter-appointed person.

The chairperson of the central election committee of the municipality must see to it that the voter is notified either in writing or by phone without delay of the time at which the election official will arrive at his or her home with an accuracy of at least two hours. At the same time, the phone number of the election authorities must be mentioned in case the voter wishes to contact the election authorities. If the election official is prevented from coming at the appointed time, the voter must immediately be notified of this and of the time of a new visit.

If it has not been possible to remove the fault in the notification affecting the voting procedure, or if the notification to the central election committee of the municipality has been made after the time appointed, or if it is not possible to conduct the at-home voting at all due to a breakdown in transport services or another insuperable obstacle, the voter must be notified by means laid down in subsection 4 that the at-home voting will not be conducted.

Section 56 — Order in the advance polling station

It is prohibited to give speeches, display or distribute printed or written exhortations or otherwise influence or try to influence the voters' electoral freedom in the advance polling station or in the immediate vicinity.

Voting in the advance polling station is to be organised in a manner that maintains the secrecy of the ballot. Those present must obey the orders given by the election official or the electoral commission to maintain order and to secure the undisturbed conduct of the voting.

If the voter's electoral freedom or the undisturbed conduct of the voting cannot be secured in an at-home voting, the election official must discontinue the voting. The discontinuance and, if the voting cannot be completed, also the termination of the voting must be marked in the list kept of the at-home votings.

Section 57 — Beginning advance voting in an advance polling station

The enfranchised person who wishes to vote in advance must report to the election official or the electoral commission in the advance polling station. In an institution the advance voting must also be organised in different departments and patients' rooms if necessary.

The voter is obliged to show the election official or the electoral commission proof of his or her identity. After this, he or she is given a ballot, an envelope for the ballot and a covering envelope and, if needed, a covering letter form.

The voter must be provided with an opportunity to familiarise him/herself with a combined list of candidates for his or her electoral district or municipality, drawn up especially for the election in question, with a combined list of candidates for the European Parliamentary elections, or with a list of candidates for the Presidential election, or with a nation-wide register of candidates or a print-out of this.

Section 58 — Voting in the advance voting

The enfranchised person has in parliamentary elections and municipal elections the right to vote for a candidate from a combined list of candidates of the electoral district or municipality in which the voter is registered as having the right to vote in the election in question, in the European Parliamentary elections to vote for a candidate from the combination of lists of candidates, and in Presidential elections to vote for a candidate from the list of candidates.

The voter must mark the number of the candidate he or she is giving his or her vote to in the ballot in such a manner that there can be no uncertainty as to

whom he or she has voted for. The mark must be made in the voting booth or in some other way so that the secrecy of the ballot is maintained.

At the request of the voter, the election official or the electoral commission must help him or her in the voting. A person whose ability to make a mark in the ballot is essentially weakened may, during the voting, use the help of an assistant he or she has chosen. An assistant can not, however, be a candidate in the election. The assistant is obliged to dutifully carry out the voter's orders and to maintain the confidentiality of the information he or she has gained in connection with the voting.

Section 59 — *The covering letter*

The covering letter must be addressed to the central election committee of the municipality that is marked in the voting register next to the voter.

The covering letter must contain the following information on the voter:

- 1) complete name;
- 2) personal identity code or date of birth, unless proof of receipt of the covering letter referred to in section 60 (2) is marked on the covering letter;
- 3) current address, if a separate covering letter form on which no proof of receipt is marked is used as a covering letter.

The voter must sign a declaration on the covering letter stating that he or she him/herself has, maintaining the secrecy of the ballot, filled in the ballot and enclosed it stamped in the ballot envelope.

In an at-home voting the voter must also sign a declaration in the at-home voting covering letter form stating that his or her ability to move or act is so limited that he or she cannot reach the polling station without undue hardship.

Section 60 — *Concluding the advance voting*

The voter must present the election official, or in an institution, the electoral commission with the folded ballot to be stamped, and, when the ballot is stamped, enclose it in the ballot envelope immediately in front of the election authorities. The closed ballot envelope, on which no markings are to be made, and the signed covering letter must after this be given to the election official or the electoral commission.

When the voting register is used at the advance polling station, the election official or the electoral commission:

- 1) checks from the register that the voter has the right to vote
- 2) makes a mark in the register that the voter has used his or her right to vote; and
- 3) marks in the covering letter in a manner determined by the Ministry of Justice that the mark referred to in 2 is made in the register (proof of receipt of the covering letter), in which case if the voting is held at an institution, the name of the institution must not be shown on the proof of receipt of the covering letter.

When the voting register is not in use in the advance polling station, a list of the voters must be kept.

Section 61 — *What the election authorities must do at the end of the advance voting*

The election official or the chairperson of the electoral commission must sign an attestation on the covering letter that the voting has been enacted as prescribed by law, and if no proof of receipt of the covering letter is made on the covering letter, also mark it with a date and the name of the advance polling station or, if the advance polling has been held at an institution or as an at-home voting, the name of the municipality where the voting has been held. The

election official of an at-home voting must also take care that the person present at a home voting as referred to in section 54 signs the covering letter. After this the envelope for the ballot paper and the covering letter must be enclosed in the covering envelope. The election official and the electoral commission must keep the covering letters in their possession carefully and in a reliable way.

Section 62 — *Delivering the covering letters to the central election committee of the municipality*

The election official and the electoral commission of a general advance polling station in the home country must without delay ensure that the covering envelopes addressed to the municipality's own central election committee are delivered to the central election committee in a manner determined by it, and that the covering envelopes addressed to the central election committees of other municipalities are delivered to the central election committees by mail or by other reliable means. The election official and the electoral commission must get a receipt from the person the covering envelopes are handed over to that he or she has received the covering envelopes.

The election official of a Finnish ship must without delay deliver the covering envelope to the Ministry of Foreign Affairs or to a Finnish mission in the country where the ship is at harbour or to which it first arrives. The election official of the Finnish mission, or, if the mission does not serve as an advance polling station, the Head of the Mission, must ensure that the covering envelope that has been given there or that has arrived there is delivered to the Ministry of Foreign Affairs in a manner determined by it. The Ministry will without delay ensure the delivery of the covering envelope to the central election committee of the municipality in question, complying with what is provided in section 62 (1) where applicable.

Section 63 — *Inspecting the advance polling documents*

The advance polling documents that have arrived at the central election committee of the municipality are inspected without opening the ballot envelopes in meetings which are to be held so that the advance polling documents that have arrived before 7 p.m. on the Friday prior to the polling day can be dealt with in these meetings. Covering envelopes that arrive after the time stipulated are to be left unopened and disregarded.

A vote must be disregarded if:

- 1) the person who has voted in advance has not been accepted in the voting register;
- 2) the envelope for the ballot paper has a mark regarding a voter or a candidate or one that is otherwise unauthorised;
- 3) the covering letter is so deficient or unclear that it is not possible to be certain that the voting has taken place according to law, or of who the voter is, or;
- 4) in an at-home voting the signature referred in section 54 is missing from the covering letter.

Disregard of a vote must be marked in a record that is kept of the meeting, and the disregarded ballot envelope with its covering letter and envelope must be attached to the record.

If a covering letter with no proof of receipt of the covering letter, and a ballot envelope attached to it can be accepted, a mark must be made on the voting register that the voter mentioned in the covering letter has used his or her right to vote. If the acceptance takes place later than 7 p.m. on the 4th day

before the polling day, the vote of the person mentioned in the covering letter is also marked in the electoral roll in a manner determined by the Ministry of Justice. If the central election committee of the municipality has on special grounds according to section 71(3) received the printed electoral rolls of the voting register directly after it has become legally binding, only the electoral roll is to be marked.

After the advance voting documents have been inspected, the central election committee of the municipality must sort the accepted ballot envelopes by voting districts, count the ballot envelopes according to voting districts, and mark the figures in the register. The accepted ballot paper envelopes, sorted by voting districts and separated from the covering letters, are to be kept unopened in a safe place.

Section 64 — *Delivering the ballot envelopes to the electoral district committee*

In elections other than municipal elections the central election committee of the municipality must seal the ballot envelopes, sorted by voting areas, in a durable container. Information about the number of ballot envelopes in each group that is sorted is attached to the consignment. The consignment is sealed and the container is marked with the address of the electoral district committee and the sender. The consignment is quickly delivered to the electoral district committee in a manner determined by it.

If the central election committee of the municipality determines, according to section 82, that the advance votes of an area are to be counted together with the polling day votes of the same area, it must without delay notify this to the electoral district committee. In such a case, the ballot envelopes of the voting area in question are not delivered to the electoral district committee.

Section 65 — *Returning the election stamps*

After the advance voting has ended, the election stamps are returned from the advance polling stations of the municipality to the central election committee of the municipality. The election stamps that have been used by election officials at advance polling stations abroad are returned to the Ministry of Foreign Affairs, which will deliver them to the central election committee of the city of Helsinki.

Section 66 — *Denial of appeal concerning the advance voting*

It is not possible to separately apply for a change in a decision made by election authorities referred to in this chapter.

Chapter 6 — **Polling day voting**

Section 67 — *Conducting the polling day voting*

The polling day voting is conducted simultaneously in all municipalities in its voting districts. A enfranchised person is only allowed to vote in the voting district marked in the voting register next to his or her name.

Organising the voting in each voting district is taken care of by the election committee.

The central election committee of the municipality must give notice of the polling day and the polling stations of the voting districts in the manner in which municipal notifications are normally made public.

The date of the polling day is laid down in part II.

Section 68 — *Voting time*

Polling day voting begins at 9 a.m. and continues without interruption until 8 p.m.

All voters that have arrived before 8 p.m. to wait for their turn to vote are entitled to vote. The waiting room must be closed at 8 p.m. Before this time the

closing must be announced to the voters arriving.

Section 69 — *Voting area*

The central election committee of the municipality must ensure that each voting district has a *voting area* and the equipment needed for the polling day voting, provided for this purpose by the municipality.

There must also be enough room in the polling station for those voters who are awaiting their turn to get to the polling room to vote.

Section 70 — *Preparatory procedures*

The central election committee of the municipality must undertake all procedures necessary for conducting the polling day voting, and in doing so, among other things, see to it that each election committee has for its use in the polling station:

- 1) such voting booths for marking the vote that ensure the secrecy of the ballot;
- 2) the necessary number of the ballot papers referred to in section 51, election stamps referred to in section 52, and forms for the election record referred to in section 79;
- 3) a combined list of candidates or a list of candidates for the Presidential election, which are placed to be clearly seen in the polling room, the waiting room and in each polling booth;
- 4) equipment for sealing;
- 5) the electoral roll; and
- 6) a ballot box.

The Ministry of Justice will take care of delivering ballot papers, documents for the election record, sealing equipment and, if necessary, ballot boxes to the election committees.

Section 71 — *Electoral rolls and their delivery*

After the advance voting has ended the Ministry of Justice will see to it that an electoral roll of the voting register of every voting district is printed out beginning on the 4th day before the polling day at 7 p.m., and delivered to the central election committees of the municipalities in good time before the polling day. The Ministry may order that the central election committee prints out the electoral rolls of the voting districts of the municipality. The Ministry may also order that the information on the electoral rolls be delivered to the central election committee in electronic form.

Only those people that have not, according to entries made in the voting register, used their right to vote in the advance voting will be accepted in the electoral rolls. The electoral rolls of all voting districts are printed following the alphabetical order of the names of the people in the voting district, or in a manner determined by the Ministry of Justice. The electoral rolls have as their headings the electoral district in parliamentary elections, the Presidential election and European Parliamentary elections and, in all elections, the municipality and the voting district, and each person's complete name and personal identity code.

The Ministry of Justice may, if necessary, on special grounds order the electoral rolls to be printed out from the voting register as soon as the register has become legally binding and that they are to be delivered without delay to the central election committee of the municipality in question.

The central election committee of the municipality must see to it that the electoral rolls are at the disposal of the election committees before the polling day. The electoral rolls are not public before voting on the polling day has

ended. If, in a Presidential election, a second round is held, the electoral rolls of the first round are public only after the voting on the second round is finished.

Section 72 — *Order in the polling station*

It is prohibited to give speeches, display or distribute printed or written exhortations or otherwise influence or try to influence the voters' electoral freedom in the polling station or in the immediate vicinity.

Voting is to be organised in a manner that maintains the secrecy of the ballot. Those arriving must obey the orders given by the election committee to maintain order and to secure the undisturbed conduct of the voting.

Section 73 — *Assistant*

All polling stations must have a properly indicated *election assistant*, wearing distinctive marks or signs, nominated by the election committee who, at the request of a voter, will assist him or her in marking the ballot paper.

A voter who wishes to use a member of the election committee as an assistant in marking the ballot paper has a right to do so if this does not delay the voting process.

A person whose ability to make a mark in the ballot is essentially weakened may use the help of an assistant he or she has chosen in marking the ballot.

A person who is a candidate in the election in question can not act as an election assistant or an assistant chosen by a voter.

The assistant is obliged to dutifully carry out the voter's orders and to maintain the confidentiality of the information he or she has gained in connection with the voting.

Section 74 — *Commencing voting on the polling day*

When voting on the polling day commences the chairperson or the deputy chairperson of the election committee must show the voters who are present that the ballot box is empty, and after this close the ballot box in a way determined by the Ministry of Justice, and open the container which contains the ballot papers that have been sent to the election committee. The ballot box must not be opened after it has, at the beginning of the election, been closed before the counting of the votes begins after the election.

Section 75 — *Registering to vote*

The voter must register to vote with the election committee in the polling station of his or her voting district, and the election committee must see to it that the voter is not allowed to vote before his or her right to vote has been ascertained.

The voter is obliged to present proof of identity to the election committee.

Section 76 — *Voting on the polling day*

The enfranchised person has in parliamentary elections and municipal elections the right to vote for a candidate from a combined list of candidates of the electoral district or municipality in which the voter is registered as having a right to vote in the election in question, in the European Parliamentary elections to vote for a candidate from the combination of the lists of candidates, and in the Presidential election to vote for a candidate from the list of candidates.

The voter must mark the number of the candidate he or she is giving his or her vote to in the ballot in such a manner that there can be no uncertainty as to whom he or she has voted for. The mark must be made in the voting booth so that the secrecy of the ballot is maintained.

Section 77 — *Concluding the voting*

The voter who has marked his or her ballot paper must present the folded ballot to the election committee in order for it to be stamped. The folded ballot must be stamped in the middle of the reverse side. The voter must after this put the ballot in the ballot box.

The election committee makes a mark in the electoral roll that the voter has used his or her right to vote. The marking is, however, made in the voting register when the election committee has access to the register.

Section 78 — Concluding the polling day voting, and the preliminary counting of the votes

After the chairperson or the deputy chairperson of the election committee has announced that the polling day voting has ended, the ballot papers are without delay to be taken from the ballot box and counted. Similarly, the number of the people that have used their right to vote during the polling day is counted, according to the entries made in the electoral roll or the voting register.

After the ballot papers are counted, the election committee will check the ballot papers. The ballot papers that must be regarded as void are placed in their own group. The remaining ballot papers are sorted into groups so that the ballot papers for each candidate are placed in separate piles. The ballot papers in each group are counted (the preliminary counting of the votes).

The election committee must finish the sorting and counting of the ballot papers without interruption.

After the preliminary counting of the votes has been completed, the ballot papers, sorted as laid down in subsection 2, are placed in a durable container that is carefully sealed in a manner determined by the Ministry of Justice. The container is marked with the address of the recipient as referred to in section 81(1), the content of the consignment, and the sender.

Section 79 — The election record

The election committee must appoint one of its members to keep an *election record*, in which the following is marked:

- 1) the date and the times at which the election commenced and was declared ended;
- 2) the members of the election committee who were present;
- 3) election assistants and assistants chosen by the voters themselves;
- 4) the number of persons who voted;
- 5) the total number of the ballots given and their number in each of the groups that they have been sorted into according to section 78 (2);
- 6) the date and the time at which the ballots were enclosed in the container;
- 7) the party representatives of constituency associations and joint lists or persons authorised by them that were present when the ballots were sorted and counted, and other persons who were present and had a right to be so;
- 8) in small voting districts, where information required in paragraph 5 is not marked, information on the observance of the procedure guaranteeing the secrecy of the ballot required in section 82.

Those members of the central election committee of the municipality that have delivered ballot envelopes to the polling station according to what is laid down in section 82 are also entered in the election record, as well as the number of the ballots they delivered and put in the ballot box.

The letters of authorisation which have been submitted to the election committee concerning the persons referred to in subsection 1(7) who have been authorised by the election representatives are to be attached to the election

record

Finally, the election record is read aloud, checked, and signed by the chairperson or the deputy chairperson of the election committee and at least one other member of the election committee, and closed with the attachments in a container which is marked with the address of the recipient, as referred to in section 81(1) or section 82(2), the content of the consignment, and the sender.

Section 80 — *Announcing the preliminary election results*

Electoral district committees, central election committees of the municipalities and election committees will announce the preliminary election results in a manner determined by the Ministry of Justice.

Section 81 — *Delivering the ballot papers and the election record away from the election committees*

The chairperson or the deputy chairperson and one other member must without delay take the consignment containing the ballot papers and the consignment containing the election record to the central election committee of the municipality in the case of Municipal elections, and to the electoral district committee in other elections.

The electoral district committee and the central election committee of the municipality can also order that the consignments are delivered in some other way.

Section 82 — *Guaranteeing secrecy of the ballot in small voting districts*

If the voting district has, according to section 63, less than 50 approved ballot envelopes or if it can be estimated with good reason that less than 50 people will vote in the voting district on the polling day, the central election committee of the municipality must order that the advance votes and the polling day votes are counted together. On such occasions the election committee will not perform the preliminary counting of the votes, but delivers the ballot papers to the central election committee of the municipality for preliminary counting.

If it can, with good reason, be estimated that within the voting district less than 50 people together will vote in advance and on polling day, or if guaranteeing the secrecy of the ballot with good reason this requires, the central election committee of the municipality must in good time before the polling day order, and in elections other than municipal elections, inform the electoral district committee that the advance votes and polling day votes of the voting district and the advance votes and polling day votes of another voting district or of some other voting districts will be counted together. On such occasions the election committees of the voting districts in question will not perform the preliminary counting of the votes but deliver the ballot papers to the central election committee of the municipality for preliminary counting.

The election committee of a voting district referred to in subsection 1 and the election committees of the voting districts referred to in subsection 2 must, after the ballot papers have been taken out of the ballot box, with the secrecy of the ballot having been maintained, and counted, enclose the ballot papers in a durable container in a manner determined by the Ministry of Justice. The address of the central election committee of the municipality, the content of the consignment and the sender must be marked on the container. The consignment must be delivered to the central election committee without delay. The central election committee of the municipality must open the ballot envelopes of the voting districts referred to in subsections 1 and 2, and combine the ballot papers in them with the votes cast in these election districts on the

polling day, and in addition mix the ballot papers of the voting districts referred to in subsection 2 together. The central election committee will perform the preliminary counting of these votes by complying with what is provided in section 78 where applicable. In elections other than Municipal elections the central election committee of the municipality will after this deliver the ballots, the record of the meeting of the central election committee, and the election records of the election committees to the electoral district committee, complying with what is provided in section 64(1) where applicable.

Regardless of what has been laid down above in this section, the advance votes and polling day votes of the voting district referred to in subsection 1, may alternatively, on the decision of the central election committee of the municipality, be counted together so that the chairman or the vice-chairman and one other member of the central election committee, on polling day before the completion of the election procedure, take the approved ballot envelopes containing the advance votes to the polling station of the voting district and in the presence on the election committee open them and put the ballot papers, while guaranteeing also the secrecy of the ballot, into the ballot box.

Section 83 — Denial of appeal concerning a decision by election authorities

It is not possible to separately apply for a change in a decision made by election authorities referred to in this chapter.

Chapter 7 — Counting the votes and confirming the election result

Section 84 — The authorities in charge of counting the votes

The counting of the advance votes cast and the recount of polling day votes cast is taken care of:

- 1) in parliamentary elections, the Presidential election and European Parliamentary elections by the electoral district committee in its meetings;
- 2) in municipal elections by the central election committee of the municipality in its meetings.

Section 85 — Invalidation of a ballot paper

A ballot paper is invalid, if

- 1) the ballot envelope contains something else or more than one ballot paper;
- 2) the ballot envelope has a mark regarding a voter or a candidate or one that is otherwise unauthorised;
- 3) something other than a ballot paper printed by the Ministry of Justice has been used as the ballot paper;
- 4) the ballot paper has not been stamped;
- 5) the candidate's number has been written so that it is not absolutely certain for whom the vote was cast;
- 6) the elector's name or distinctive identification or some other inappropriate marking has been made on the ballot paper;
- 7) the ballot paper has, in parliamentary elections, been used to vote for a candidate who has been nominated as candidate in two or more electoral districts.

A marking made in the ballot paper that only clarifies which candidate the voter has intended to vote for shall not be considered inappropriate.

Section 86 — Counting the advance votes

Counting the advance votes that are enclosed in ballot envelopes may be started on the polling day at the earliest at 3 p.m. or, on special grounds, earlier, at the discretion of the election committee, however at the earliest at 12 o'clock.

Invalid ballot papers are separated in their own group. The other ballot papers are sorted into groups so that the ballot papers for each candidate are placed in separate piles. The ballot papers in each group are counted.

The results of the advance voting are counted separately for each voting district of the municipality, except for the cases referred to in section 82.

The results of the advance voting are announced in a manner determined by the Ministry of Justice.

Section 87 — Recount of the votes

At 9 a.m. on the Monday following polling day, a recount of the polling day votes of both the votes counted by the election committees and, as laid down in section 82 (4), the votes counted by the central election committees of the municipalities must be commenced. In the recount of the votes it must be decided which votes for a candidate are regarded as valid and which votes are discarded as invalid.

The valid votes for each candidate given in both the advance voting and on polling day are counted.

Section 88 — Counting the votes received by the candidates

The votes received by the candidates are counted in such a way that the number of votes given to the candidates of the parties of an electoral alliance shall be counted to the said electoral alliance, the votes given to a candidate of a party that is not a member of an electoral alliance shall be counted to the said party and the votes of the candidates of a constituency association in a joint list shall be counted to the said joint list.

If it becomes clear that the candidate is ineligible or is deceased or has also been nominated as a candidate in European Parliamentary elections in the same election in other member states of the European union, the votes received by that candidate shall, however, be counted to the electoral alliance or to the party or to the joint list to which the candidate belongs.

Section 89 — Method of counting election result

The ranking order of candidates in a party that is not in an electoral alliance or the ranking order of candidates in a joint list in the party or joint list is determined by the number of personal votes given to the candidates. In this system the candidates shall be given a comparative index so that the first candidate of each party or joint list has as his or her comparative index the number of votes given to the said party or to the said joint list, the second candidate will have half of the votes cast, the third candidate will have third of the votes cast, the fourth candidate will have a fourth of the votes cast and so forth.

The ranking order of the candidates representing parties that belong to an electoral alliance is, regardless of party, determined by the number of votes given to a candidate. The candidates receive a comparative index in this order and the first candidate of the said party receives as his or her comparative index the number of votes given to the electoral alliance, the second candidate will have half of the votes cast, the third will have the third of the votes cast, the fourth will have the fourth of the votes cast and so forth.

The candidate representing a constituency association that does not belong to a joint list will have as his or her comparative index the number of votes given to him or her.

Section 90 — Deciding by lot

If the number of votes and the comparative indices are equal, the order of the candidates shall be decided by lot.

Section 91 — *Determining the election result in parliamentary and municipal elections*

In order to determine the result of parliamentary or municipal elections, the names of all candidates are written following the order of their comparative indices and the comparative index of each candidate is written beside the candidate's name. From this name list, as many candidates are chosen as are to be elected from the municipality to the parliament or to the municipal council.

Section 92 — *The deputy representatives for the Members of Parliament*

The deputy representative for a Member of Parliament is the first candidate on the list who has not been elected from the party or from the joint list which the member represented, or if there was an electoral alliance, the first candidate who has not been elected from the said electoral alliance which the member represented.

If there is no other way to choose a deputy member, the deputy member shall be that candidate who has not been elected whose name is the first name in the list of names referred to in section 91.

If the deputy member becomes a member, or otherwise leaves his or her post, the electoral district committee shall provide a new deputy member for the said member following the provisions in subsections 1 and 2.

If a seat becomes open in the province of the Åland Islands and there is no such deputy member as is specified in subsections 1 and 2, new parliamentary elections shall be held in the said electoral district without delay. The Ministry of Justice lays down the time of the election and proclaims this. Advance polling is performed only in the electoral district of the province of the Åland Islands.

Section 93 — *Deputy councillors*

Deputy councillors for the councillors are chosen as is provided in Section 11 in the Municipalities Act.

Should the number of deputy councillors become incomplete during the term of office of the council, the central election committee of the municipality must provide, at the request of the chairperson of the council, new deputy councillors, as provided in section 11 of the Municipalities Act.

If all deputy councillor seats are not filled by virtue of the provisions set forth in this Section, the number of deputy councillors will be incomplete.

Section 94 — *Confirmation and publication of the result of parliamentary elections and notification of the result*

The electoral district committee confirms the result of the election on the 3rd day after the polling day in its meeting which begins at 6 p.m. on that date.

The electoral district committee shall make public the result of the election with directions for lodging an appeal through a notification in the committee and shall also announce in its notification the deputies for the elected members, and shall draw up, without delay, a written authorisation of mandate for each elected member and dispatch the written authorisation, without delay, to parliament to be handed to the elected members.

The electoral district committee shall immediately inform the Ministry of Justice of the result of the election in a manner specified by the Ministry of Justice and also inform the State Provincial Office and the central election committees of the municipalities in the electoral district and give a notification of the result and the comparative indices and the number of votes of elected members in those newspapers which have the greatest circulation in the said electoral district and which represent those parties who have had candidates in the elections.

Section 95 — *Confirmation and publication of the result of municipal elections and notification of the result*

The electoral district committee confirms the result of the election on the 3rd day after the polling day in its meeting beginning at 6 p.m. on that date.

The central election committee of the municipality must without delay:

- 1) Make the result of the election public by displaying the record that includes the result with directions for lodging an appeal on the public notice board of the municipality for a period of seven days;
- 2) Submit the list of the elected councillors and their deputies to the Council and make the said list public as notices are made public in the municipality.
- 3) Submit information of the result of the election to the Ministry of Justice following the provisions laid down by the Ministry of Justice.

Section 96 — *Provisions for Presidential elections and European elections*

Provisions for the method of counting the votes of the candidates in Presidential elections and European Parliamentary elections and the method of counting the result of the elections, determining the result of the said elections, confirming the result of the elections, publishing the result of the elections and submitting notice of the result of the elections are laid down in Chapter II.

Section 97 — *The deputy member for a member of the European Parliament*

What is set forth in section 92 on selecting a deputy member for a Member of Parliament shall apply, as appropriate, to providing a deputy member for an elected member of the European Parliament.

Section 98 — *Entering the result of the election into the record*

When the result of the election has been confirmed, the authority confirming the result shall mention in the record the names of both the elected persons and those persons who, if a seat becomes open, will replace the member as a deputy representative or who have been nominated as deputy councillors.

Each elected person is entered into the record by stating his or her name and title, profession or occupation and, with the exception of municipal elections, his or her municipality of residence, as well as his or her comparative index and the number of votes he or she has received.

Section 99 — *Keeping the documents and instruments*

If the counting of the ballot papers or the procedure is interrupted, all ballot papers and calculations shall be kept in such a way that no unauthorised person has access to them.

After confirming the result of the election, the ballot papers and a copy of the combined list of candidates or a copy of a list of presidential candidates is placed in a container, which shall be sealed as is laid down by the Ministry of Justice. These are to be kept until the next corresponding elections have been conducted. The calculations shall be kept as an appendix to the record. The electoral district committee shall submit and entrust the documents and the instruments used in the election to the Provincial Administrative Board to be kept in safekeeping.

Chapter 8 — **Demand for rectification**

Section 100 — *Object of an appeal*

A person can demand a rectification to the decision by which the result of the election has been confirmed, by lodging an appeal as is set forth in this Chapter.

It is not possible to lodge an appeal against decisions on the confirmation of the result of the first and second round of the Presidential election.

Section 101 — *Right of appeal and grounds for appeal*

Those persons who feel that their interests or rights are violated by the decision, and those persons who have been candidates in the election, and the party who has made a candidate application, and a joint list have a right to lodge an appeal on the grounds that the decision is unlawful.

In addition, the following persons can lodge an appeal against the decision on the grounds that the election has been carried out in an incorrect order and that this might have had an effect on the result of the election:

- 1) every person who is eligible to vote in the electoral district or municipality ; and
- 2) in municipal elections, a member of the municipality

Section 102 — *Lodging an appeal and the appeal procedure*

The appeal shall be sent to a competent Provincial Administrative Court within 14 days from the confirmation of the election results. In European Parliamentary elections, the appeal is, however, always sent to the Provincial Administrative Court of Uusimaa.

The provisions for the appeal procedure and appeal process are otherwise subject to provisions laid down in the Administrative Judicial Procedure Act.

The appeal shall be processed without delay.

Section 103 — *Decision of an appellate authority*

If a decision or measure of an election authority has been unlawful and this unlawfulness has clearly affected the result of the election, a new election shall be held in the said electoral district or municipality, or in European Parliamentary elections, in the whole country, if the result of the election cannot be rectified.

If the electoral district committee or the municipal central election committee has, while counting the result of the election or confirming the result of the election, acted unlawfully and this unlawfulness has affected the result of the election, the result of the election has to be rectified.

Section 104 — *Submitting the notification of the decision*

In Parliamentary elections and European Parliamentary elections, the decision of the Provincial Administrative Court must be submitted to the appellant and to the electoral district committee in question and to the representatives of parties and joint lists and to the Ministry of Justice. In addition, the decision shall be announced in a broadcast of a broadcasting company without delay, if the decision has laid down that the result of the election shall be rectified or that new elections shall be held.

In municipal elections, the decision of the Provincial Administrative Court must be submitted to the appellant, to the municipal executive board, to the municipal central election committee, to the representatives of parties and joint lists and, if the decision lays down that the result of the election shall be rectified or that new elections shall be held, to the Ministry of Justice. The municipal central election committee shall, without delay, make the decision of the Provincial Administrative Court public also to the members of the municipality by placing the decision on the public notice board of the municipality for a period of seven days.

Section 105 — *Continued appeal*

It is possible to lodge an appeal against the decision of the Provincial Administrative Court to the Supreme Administrative Court within 30 days of receiving the result of the decision.

If the decision lays down that the result of the election shall be rectified or that

new elections shall be held, those mentioned in Section 101 have a right to lodge an appeal, and, in municipal elections, the municipal executive board also has this right. Those who have not separately received the decision, are considered to have received the decision when it is announced for the first time in a broadcast of a broadcasting company or when it is placed on the public notice board of the municipality.

Giving notice and the announcement of the decision of the Supreme Administrative Court are subject to provisions of Section 104 on the decision of the Provincial Administrative court.

Section 106 — *New elections as a result of an appeal*

If new elections are held due to an appeal, the date of the next election is:

- 1) in parliamentary elections and European Parliamentary elections, the first Sunday after 50 days from when the decision of the appellate authority entered into force.
- 2) in municipal elections, on the Sunday prescribed by the municipal central election committee.

The same electoral authorities shall take care of conducting the new election as in the invalid election. If the term of office of the municipal central election committee has expired, however, the new election is carried out by a central election committee replacing the said committee.

The new election shall follow the same distribution of voting districts and use the same voting register that is in legal force and the same combined list of candidates as in the invalid election, unless the appellate authority otherwise provides. The Population Register Centre will ensure that those who were entered into the voting register will be sent a new card of information. The advance polling is conducted only in the electoral district or in the municipality that is subject to the provision on the new elections. The provisions on the election proper apply, as appropriate, to the conducting of the new election. The members and councillors who have been elected in the invalid election shall keep their posts until the result of the new election has been confirmed. The result of the new parliamentary election shall be submitted without delay to Parliament and in new municipal elections, to the municipal council of the municipality in question.

PART II — INDIVIDUAL ELECTION PROVISIONS

Chapter 9 — **Parliamentary elections**

Time of the parliamentary elections

Section 107 — *Date of the election*

The date of the election in Parliamentary elections is the third Sunday in March.

If the President has ordered new Parliamentary elections, the date of the new election is, following the orders of the President, not earlier than the first Sunday after 50 days and not later than the first Sunday after 75 days from the time when the order to hold new elections was made public.

When the President has issued an order for the holding of new elections, it shall, in addition to what is set forth in section 67 (3), be made public at least in the Embassies and Honorary Consulates with public notices and if necessary, in any other appropriate way.

General provisions for nominating candidates

Section 108 — *The right to nominate candidates*

In parliamentary elections, candidates can be nominated by:

- 1) political parties;

2) registered voters who have founded a constituency association.

When they nominate candidates, two or more parties can form an *electoral alliance* by mutual agreement. Similarly, two or more constituency associations can form a *joint list*.

Section 109 — *Maximum number of candidates*

A party, an electoral alliance or a joint list can have no more than 14 candidates in each electoral district. If more than 14 Members of Parliament are chosen from an electoral district, there can, however, be only as many candidates as there are members to be elected from the electoral district.

Section 110 — *Nominating candidates and the maximum number of candidates in the electoral district of the Province of the Åland Islands*

In the electoral district of the Province of the Åland Islands, a constituency association, founded for the next Parliamentary elections by at least 30 registered voters in the electoral district, has a right to nominate a candidate for a member of parliament. Two or more constituency associations have a right to form a joint list. There can be no more than 4 candidates on the joint list. In other cases, the provisions set forth in this Act apply, as appropriate, to the establishment of a constituency association, to the candidate nomination of a constituency association, to the forming of a joint list, to the notification of a joint list and to the duties of the authorities related to the nomination of candidates in the electoral district of the Province of the Åland Islands

Section 111 — *Injunction against multiple nominations*

In a same election, a person can be nominated as a candidate by only one party or one constituency association and in only one electoral district.

Nomination of candidates by parties

Section 112 — *Vote by the members*

To nominate candidates, a party must perform a secret *vote by the members* based on equal voting rights, in which the individual members of the party and its local organisation residing in the electoral district are entitled to participate.

A vote by members is not, however, obligatory, if only so many candidates are nominated in the election as the party has the right to nominate as candidates in the electoral district.

Section 113 — *Applying the rules of the party in the vote by the members*

The vote by the members shall be conducted and the candidates shall be nominated in accordance with the rules of the party. In so far as there are no provisions on voting by members or nominating candidates in the rules of the party, the provisions set forth in this Act apply, as appropriate, to voting by members and nominating candidates.

Section 114 — *Naming candidates for the vote by the members*

The right to nominate candidates is given to an association which belongs to a party and which operates in the electoral district and only has individual members (*local organisation*). The decision to nominate candidates is made by the decision-making organ of the local organisation, or, with its authorisation, the board of the local organisation.

A person who has been named in writing by at least 15 members of a local organisation which operates in the same district must be included in the vote by the members. A person can also be named by at least 30 members that can belong to different local organisations operating in the same electoral district. A member of a local organisation can endorse only one proposal set forth in this subsection.

A person who has not submitted his or her written approval cannot be named for the vote by the members.

Section 115 — Right to vote in vote by members

Those members of a party or its local organisation who have their 18th birthday not later than on polling day have the right to vote in the vote by the members.

A member of a local organisation can only vote as a member of one association.

Section 116 — Decision on the number of candidates and on nominating candidates

The decision on the number of candidates and the nomination of candidates is made by the association acting as a party district organisation in the electoral district (*district organisation*). The decision is made by the decision-making organ of the district organisation, or with its authorisation, the board of the district organisation.

Those candidates who have received most votes in the vote by the members shall be nominated as candidates. If the vote by the members has not been conducted for reasons referred to in section 112 (2), persons who have been named in the vote by the members, or some of them, must be nominated as candidates.

Section 117 — Right of change

On the recommendation of the party board, the result of the vote by the members can differ by no more than one fourth from the number of candidates nominated by the party (*right of change*). Even then at least half of the candidates of the party must be persons who have received most votes in the vote by the members.

In the case of using the right of change, the result of the vote by the members does not include a person who, because of ineligibility, refusal or other similar reason cannot be nominated as a candidate.

Section 118 — Agreement on the vote by the members among district organisations

If a party has two or more district organisations in the same electoral district, the district organisations must agree as to how the vote by the members or the votes by the members are carried out in the electoral district and how the candidates of the party are nominated. If the district organisations cannot agree on the matter, the decision rests with the board.

Founding a constituency association

Section 119 — Number of members in a constituency association and drafting a charter

Founding a constituency association in order to nominate a candidate in parliamentary elections requires at least 100 voters from the same electoral district.

The constituency association is founded by drafting a duly dated and signed charter which shall include the following information:

- 1) reference to the type of parliamentary elections;
- 2) Name and title of the candidate, profession or occupation, using no more than two expressions, and municipality of residence;
- 3) name, date of birth and address of each member;
- 4) A written assertion from each member that they have a right to vote in the election in question in the said electoral district;
- 5) the name of the party representative of the constituency association and the name of his or her deputy and their contact information.

A voter can be a member in only one constituency association. If he or she is a member in two or more constituency associations, the electoral district committee must remove his or her name from all charters.

Candidate application in parliamentary election

Section 120 — *Party representatives*

Each party and constituency association that nominates candidates must have a party representative in the electoral district. (*party representative or representative of a constituency association*) and each representative shall have a deputy. In addition, those constituency associations which have formed a joint list shall authorise a representative of a constituency association to act as a representative of a joint list and to nominate a second person as his or her deputy.

The representative of a party or a joint list must not represent a second party or a constituency association as a representative. The representative of a constituency association cannot act as a representative of a party nor represent a joint list other than that to which his or her constituency association belongs or act as a representative of another constituency association. The representative of a party or a constituency association cannot act as a member or a deputy member in an electoral district committee or as a member of the municipal central election committee.

A person who has a written authorisation from the representative is entitled to make an application, declaration or rectification as specified in this Act. The provisions in the Act on the representative of a party and of a joint list and of a constituency association apply, as appropriate, to his or her deputy.

The party must notify the electoral district committee of the name of the party representative and his or her deputy and their contact information not later than 48 days before the date of the election.

Section 121 — *Lodging a candidate application*

The representative of a party, joint list, or a constituency association shall submit the candidate application to the electoral district committee not later than on the 40th day before the date of the election before 4 p.m.

Section 122 — *Candidate application of a party*

The candidate application of a party must include:

- 1) a proposal for the list of candidates of the party, stating the order in which the candidates are placed in the combined list of candidates, the name and title, profession or occupation of each candidate, using no more than two expressions, and their municipality of residence; Along with the given name, or instead of the given name, a generally known name of the person or his or her abbreviated first name can be used; The list of candidates must not include other entries, unless they are necessary to define the identity of the candidate; and
- 2) a signed consent with personal identity code from each candidate, to standing as a candidate for the party that has nominated him or her as a candidate and consent to assumption of office and an affirmation confirming that he or she has not agreed to stand as a candidate for another party or a constituency association or as a candidate in another electoral district.

The party representative must duly date and sign the candidate application and certify in the application that the candidates are eligible.

Section 123 — *Notification of an electoral alliance*

If the parties have agreed to form an electoral alliance, a joint notification listing the parties who are taking part in the electoral alliance shall be drafted and this announcement shall be signed by all of the party representatives representing the parties who take part in the electoral alliance. The representative of a party that is taking part in the electoral alliance shall

submit a notification to the electoral district committee simultaneously with the candidate application of the party.

Section 124 — *The candidate application of a constituency association*

The candidate application of a constituency association shall include:

- 1) a proposal for a candidate list of the constituency association, including information on the candidate as set forth in section 122 (1) (1);
- 2) a duly signed notice of consent of the candidate including his or her personal identity code to standing as a candidate for the constituency association that has nominated him or her as a candidate and consent to assumption of office and an affirmation that the person has not given his or her consent to stand as a candidate for another constituency association or a party, or as a candidate in another electoral district in the same election; and
- 3) the charter of the constituency association.

The party representative of the constituency association must date and sign the candidate application and in it affirm that the candidate is eligible and that the members of the constituency association have themselves signed the charter of the constituency association.

Section 125 — *Notification of a joint list*

If the constituency association has agreed to form a joint list with one or several other constituency associations, a notification of a joint list and of the constituency associations belonging to this, as well as a notification of the candidates of the constituency associations, following the order in which the candidates are placed in the combined list of candidates, shall be submitted simultaneously with the candidate application of the constituency association. The announcement shall be signed by the representatives of those constituency associations that have formed the joint list.

The notification shall also mention the representative of the joint list and the name of his or her deputy and their contact information.

The notification can propose a name, which shall include the words "joint list", for the combined list of candidates. The name shall not be inappropriate or generally or otherwise misleading. The name can include a name which has been entered into the Register of Associations and which the constituency associations forming the joint list have verifiably been allowed to use by the association. The name shall not include the name of a party that has been entered into the register of political parties.

The of a Member of Parliament

Section 126 — *The form of the letter of authorisation*

The form of the letter of authorisation of a Member of Parliament reads as follows:

"In the parliamentary election that was conducted on the ... day...of the month of ...in ... electoral district, ---- living at...has been elected to be a parliamentary representative beginning from this day forward until the following parliamentary election is held."

This certificate is the letter of authorisation of the Member of Parliament Place and time.

If the parliamentary seat has become vacant, the electoral district committee gives a letter of authorisation to the person who, according to section 92, will replace the former representative.

In this case the letter of authorisation reads as follows:

"After on the ...day...of the month of ... in the parliamentary election held

in...electoral district---- was elected to be a parliamentary representative beginning from theday of themonth....until the following parliamentary election should be held, but his or her parliamentary seat has become vacant, ---living at...will, according to the Election Law, replac him or her as member of parliament”

This certificate is the written authorisation of the Member of Parliament
Place and time.

If a Member of Paliament has been elected a Member of the European Parliament,the electoral district committee gives a letter of authorisation to the person who, according to the Constitution, will, during the time the former is carrying out his or her duties as a member of the European Parliament, act in his or her place as a representative carrying out the duties of a representative

This letter of authorisation reads as follows:

“ After on theday of themonth of...in the parliamentary election held in...electoral district --- was elected.to be a parliamentary representative beginning from the... day of the month of....until the following parliamentary elections should be held, and since he or she on the ...day of the month of...in the European Parliamentary elections held in Finland been chosen as a memberof the European Parliament and his or her carrying out his or her duties as a member of parliament is for this reason discontinued,according to the Constitution and the Election Act---living at...will become his or her deputy representative to carry out the duties as a representative in his or her place for the time that the representative is acting as a member of the European Parliament.”

This certificate is the letter of authorisation of the deputy Member of Parliament

Place and time

Chapter 10 — **Presidential election**

Time of the Presidential election

Section 127 — *Polling day*

The first round of the Presidential election shall be held on the third Sunday of January of the sixth year after the year in which the previous President of the Republic was inaugurated.

If a second round of elections is required, this shall be held on the second Sunday after the first round of Presidential elections.

If measures must be taken in order to elect a president in the event of the current president, the winning presidential candidate or a presidential candidate having become permanently incapacitated or deceased, the Council of State through a decision published in the Statute Book of Finland, shall issue provisions concerning the Presidential election which is to be held on the next possible Sunday.

Nomination of Presidential Candidates

Section 128 — *Right to Nominate Presidential Candidates*

The right to nominate presidential candidates shall be granted to:

- 1) a political party that in the previous parliamentary election had at least one candidate chosen for parliament from their list of candidates;
- 2) a constituency association established by at least 20000 enfranchised persons.

Any enfranchised person can be member of only one constituency association at a time. If a person is member of two or more constituency associations, the electoral district committee must erase that person’s name from all charters.

A party or a constituency association entitled to nominate a presidential candidate may only nominate one candidate. Parties and constituency associations can nominate the same candidate. No electoral alliances or joint lists shall be established to nominate a common candidate.

All candidates are nominated nationally.

Section 129 — *Party nomination of a presidential candidate*

A presidential candidate is nominated by a party in a manner ensuring the democratic power of influence of the party members as is further laid down in the party regulations.

Section 130 — *Establishment of a constituency association*

A constituency association is established by drafting a dated and signed charter which must contain the following information:

- 1) a reference as to which Presidential election is in question
- 2) the candidate's name and title, occupation or position using no more than two expressions, and the municipality of residence;
- 3) the names and contact information of the constituency association representative and deputy representative.

Attached to the charter shall be 20000 supporter forms, signed by members with the right to vote, and including the following information:

- 1) a declaration that the enfranchised persons wishes to nominate the said person on the card as a candidate in the Presidential election;
- 2) the name, date of birth and address of the enfranchised person.
- 3) the affirmation of the enfranchised person that he or she is entitled to vote in the first round of the Presidential election;
- 4) the date, which may be no more than one year earlier than the closing date of the time period reserved for submitting the candidature application
- 5) authorisation for a certain person to act as constituency association election representative and for another person to act as deputy representative, and contact information of those two persons.

Each supporter form attached to the same application must authorize the same persons to act as constituency association election representative and deputy election representative.

Presidential Candidate Application

Section 131 — *Election representatives*

Each party and constituency association that wishes to nominate a presidential candidate must have an election representative and each election representative must have a deputy.

A party election representative can not act as an election representative for another party. A constituency association representative can not act as an election representative for a party or another constituency association. A party representative or a constituency association election representative can not be a member or a deputy member of an electoral district committee or the central election committee.

A person authorized in writing by the party or constituency association election representative may submit an application, a notice or a correction as referred to in this Act on the representative's behalf. What is provided in this Act on party or constituency association election representatives applies, as appropriate, to the deputy election representative.

A party and a constituency association must report the name and contact information of their election representative and deputy election representative

to the Helsinki electoral district committee by the 48th day prior to polling day.

Section 132 — *Submitting an application for candidacy*

The party election representative or constituency association election representative must submit the application to include a candidate in the list of presidential candidates to the Helsinki electoral district committee by four p.m. on the 40th day prior to polling day.

Section 133 — *Application for candidacy submitted by a party*

An application for candidacy submitted by a party must include:

- 1) the candidate's name and title, profession or occupation using no more than two expressions, and municipality of residence; the name by which the candidate is generally known or an abbreviation of the first name can be used along with or instead of the proper first name; the application may not contain any other information about the candidate except if this is necessary in order to clarify the candidate's identity; and
- 2) the candidate's consent, including the candidate's personal identity code and signature, to standing as presidential candidate for the party and consent to accepting the office of president.

The application must be dated and signed by authorized signatories for the party.

Section 134 — *Application for candidacy submitted by a constituency association*

An application for candidacy submitted by a constituency association must include:

- 1) the candidate's name and title, profession or occupation using no more than two expressions, and municipality of residence; the name by which the candidate is generally known or an abbreviation of the first name can be used along with or instead of the proper first name; the application may not contain any other information about the candidate except if this is necessary in order to clarify the candidate's identity and
- 2) the candidate's consent, including the candidate's personal identity code and signature, to standing as presidential candidate for the constituency association and consent to accepting the office of president.

The constituency association charter and supporter forms referred to in section 130 must be attached to the application.

The constituency association election representative must date and sign the application and in it confirm that the supporter forms have been personally signed by the members of the constituency association.

Section 135 — *Notice on the presidential candidates*

The Helsinki electoral district committee gives notice of the presidential candidates to the Ministry of Justice. The notice must be given without delay after the ranking of the list of candidates has been established according to section 37 (1) and (4) or, if a correction provided in section 36 (3) has been made, by the 31st day prior to the polling day. The Ministry must immediately publish the notice in the Statute Book of Finland

Section 136 — *Electing a Single Presidential Candidate*

If only one presidential candidate is nominated by the appointed time, the candidate shall be elected president without an election. The Helsinki electoral district committee must notify the Council of State of the matter immediately. After declaring the candidate elected President of the Republic, the Council of State notifies the candidate of the matter in writing and gives a public proclamation, which shall be published in the Statute Book of Finland.

First Round of Election

Section 137 — *Votes cast in electoral districts*

In a meeting commencing at 10 a.m. on the second day after the first round polling day, the electoral district committee confirms the number of votes given to each candidate in the first round in the electoral district, and reports without delay the confirmed number of votes and the total number of votes cast to the Helsinki electoral district committee in the manner stipulated by the Ministry of Justice.

Section 138 — *Election of the President*

After receiving the reports from all electoral district committees as referred to in section 137, Helsinki electoral district committee without delay confirms the final number of votes cast for each candidate nationally in the first round and the total number of votes and reports them to the Ministry of Justice in the manner stipulated by the Ministry.

If one of the candidates receives more than half of all votes cast nationally in the first round of the Presidential election, the Council of State declares the candidate elected President of the Republic under the Constitution, notifies the candidate of this in writing, and gives a public proclamation, which shall be published in the Statute Book of Finland. The proclamation must also include the number of votes cast for each presidential candidate nationally and the total number of votes cast.

Section 139 — *Public proclamation on the second round of the election*

If none of the candidates receives more than half of the votes cast and thus no president has been elected after the first round of the Presidential election, the Ministry of Justice must without delay on the second day after the polling day give a public proclamation of the result of the vote, which shall be published in the Statute Book of Finland. The number of votes cast nationally for each presidential candidate must be mentioned in the public proclamation. The proclamation shall also include mention that according to the Constitution, a second round of the election must be held; the identities of the two candidates entering the second round and their numbers determined as provided in section 42 (2).

Second Round of Election

Section 140 — *Ballot*

In the second round, the ballot must be different in colour from that in the first round.

Section 141 — *Votes cast in electoral districts*

In a meeting commencing at 6 p.m. on the third day after the second round polling day, the electoral district committee confirms the number of votes cast for each candidate in the electoral district and reports the confirmed number of votes and the total number of votes cast to the Helsinki electoral district committee in the manner stipulated by the Ministry of Justice.

Section 142 — *Election of the President*

After receiving the reports from all electoral district committees as laid down in section 141, Helsinki electoral district committee without delay confirms the final number of votes cast nationally for each candidate in the second round of the election and reports the confirmed number of votes without delay to the Council of State.

On the fourth day after the second round polling day, the Council of State declares which one of the two candidates has received more votes in the second round of the election and has thus been elected President of the Republic under the Constitution. After stating the result of the vote, the Council of State

notifies the elected candidate of the matter in writing, and gives a public proclamation of the result of the presidential vote, which shall be published in the Statute Book of Finland. The proclamation must also include the number of votes cast nationally for both presidential candidates and the total number of votes.

Restarting the Election Procedure

Section 143 — *Death or permanent incapacity of presidential candidate or elected president*

The Presidential election must be restarted as soon as possible, if:

- 1) a presidential candidate nominated according to the procedure laid down in law becomes permanently incapacitated or dies prior to the completion of the election procedure of the first round;
- 2) a candidate in the second round of the election becomes permanently incapacitated or dies before the completion of the second round election procedure; or
- 3) a candidate who has been elected president becomes permanently incapacitated or dies before entering office.

The Council of State orders the new polling day as provided in section 127 (3).

The Ministry of Justice must urgently report the Council of State's decision to the Ministry of Foreign Affairs, the election district committees and the Population Register Centre, which has to ensure that the information is transmitted to other election officials. Election officials must cancel preparations for the election. The Ministry of Justice shall issue more specific orders and instructions for official procedures resulting from the Council of State's decision.

What is provided in sections 129-134 applies to nomination of candidates and submitting applications for candidacy in the cases provided in this section. A candidate nominated by a party or a constituency association according to the afore-mentioned procedures shall be considered a candidate for the party or the constituency association without a new application, unless the party or the constituency association has cancelled the previous application or unless the candidate has cancelled the consent referred to in section 133 or section 134. The cancellation of the application or consent must be submitted to Helsinki electoral district committee at the latest by 4 p.m. on the 40th day prior to polling day.

Chapter 11 — **Municipal elections**

Time of the municipal elections

Section 144 — *Polling day*

The municipal elections polling day is the fourth Sunday of October.

Nomination of Candidates in Municipal Election

Section 145 — *Public proclamation of the number of councillors to be elected*

The central election committee of the municipality must give a public proclamation of the number of councillors to be elected in the municipality. The public proclamation must be published without delay in the manner in which the municipality notifications are published and displayed in the room where the central election committee of the municipality holds its meetings. The proclamation can be given alongside the proclamation referred to in section 34 (2).

Section 146 — *The Right to Nominate Candidates*

A candidate in the municipal election can be nominated by:

- 1) parties;
- 2) constituency associations established by persons entitled to vote.

When nominating candidates, two or more parties have the right to form an electoral alliance by mutual agreement. Two or more constituency associations have correspondingly the right to form a joint list.

Section 147 — *The maximum number of candidates*

Each party, constituency association and joint list has the right to nominate a number of candidates equalling the number of councillors to be elected in the municipality multiplied by one and a half.

Section 148 — *Injunction against multiple nomination*

In an election one person may only be candidate for one party or constituency association.

Section 149 — *Party nomination of candidates*

The party candidates are nominated by the association representing the municipality members of the party, which the party has reported to the central election committee of the municipality.

Section 150 — *Establishment of a constituency association*

Ten or more enfranchised municipality residents may establish a constituency association. Because of a low population in the municipality, the Ministry of Justice may issue provisions that a smaller number of municipality residents may establish a constituency association. However, a constituency association can not be established by less than three persons. The Ministry of Justice must publish the provisions in the Statute Book of Finland during May of the election year at the latest.

A Constituency association is established by drafting a dated and signed charter which must contain the following information:

- 1) a reference as to which municipal election is in question
- 2) the candidate's name and title, occupation or position using no more than two expressions,
- 3) the name, date of birth and address of each member;
- 4) the affirmation signed by each member that he or she is entitled to vote in the elections and the municipality in question;
- 5) the name and contact information of the constituency association election representative and the deputy election representative.

Any enfranchised person can be a member of only one constituency association at a time. If a person is member of two or more constituency associations, the electoral district committee of the municipality must erase that person's name from all charters.

Candidate application in municipal elections

Section 151 — *Election representatives*

Each party and constituency association that wishes to nominate a candidate must have an election representative and each election representative must have a deputy. In addition, constituency associations that have formed a joint list must authorise one constituency association election representative to act as a joint list election representative, and another one to act as his or her deputy.

A party or constituency association election representative can not act as an election representative for another party or constituency association. A constituency association election representative may not act as an election representative for a party, another constituency association, or a joint list other than the one that his or her constituency association is a part of. A party representative or a constituency association election representative can not be a member or a deputy member of the central election committee of the

municipality.

A person authorised in writing by the party or constituency association election representative may submit an application, a notice, or a correction, as referred to in this Act, on the representative's behalf. What is provided in this Act concerning party, joint list or constituency association election representative applies, as appropriate, to the deputy election representative.

Section 152 — *Submitting the application for candidacy*

The party, constituency association or joint list election representative must submit the application for candidacy to the central election committee of the municipality at the latest by 4 p.m. on the 40th day prior to polling day.

Section 153 — *Application for candidacy submitted by a party*

An application for candidacy submitted by a party must include:

- 1) a proposal for the party's list of candidates, in which, in the order that the candidates are to be listed in the combined list of candidates, are stated each candidate's name and title, profession or occupation using no more than two expressions; the name by which the candidate is generally known, or an abbreviation of the first name, can be used along with, or instead, of the proper first name; the list of candidates may not contain any other information about the candidate except if this is necessary in order to clarify the candidate's identity;
- 2) each candidate's consent, including the candidate's personal identity code and signature, to standing as candidate for the party, consent to accepting the office of municipality representative, and affirmation that he or she has not agreed to stand as candidate for another party or constituency association in the same elections;
- 3) notice given by the authorised signatories of the party that the association on whose behalf the election representative is acting represents the municipality members of the party; and
- 4) notice given by the association representing the party on the name and contact information of the party election representative and the deputy election representative, and a mandate issued to them by the association.

The application must be dated and signed by the party election representative affirming in this that the candidates are eligible for election.

Section 154 — *Notice on electoral alliance*

If parties have agreed to form an electoral alliance, they must give a common notice, in which they list all the parties participating in the alliance, which shall be signed by the election representatives of all participating parties. An election representative for a party participating in an electoral alliance must give the notice to the central election committee of the municipality simultaneously with the party application for candidacy.

Section 155 — *Application for candidacy submitted by a constituency association*

An application for candidacy submitted by a constituency association must include:

- 1) a proposal for the constituency association's list of candidates, in which the candidate information referred to in section 153 (1) is stated;
- 2) the candidate's consent, including the candidate's personal identity code and signature, to standing as candidate for the constituency association, consent to accepting the office of municipality representative, and affirmation that he or she has not agreed to stand as a candidate for another party or constituency association in the same elections; and

3) the constituency association charter.

The application must be dated and signed by the constituency association election representative, affirming in this that the candidate is eligible for election and that the charter has been personally signed by the members of the constituency association.

Section 156 — Notice on joint list

If a constituency association has agreed to form a joint list with one or more other constituency associations, a notice on the joint list, the constituency associations taking part in this, and the names of the candidates in the order they shall be listed on the joint list must be given simultaneously with the constituency association application of candidates. The notice shall be signed by the election representatives of the constituency associations taking part in the joint list.

The notice must also contain the name and contact information of the joint list election representative and the deputy joint list election representative.

The notice may include a proposal for a name, containing the word “joint list”, to be used of the joint list. The name shall not be inappropriate, or generally or otherwise misleading. The name of the joint list may always contain the name entered in the Register of Associations, if it can be proven that the association has granted the constituency associations taking part in the joint list the right to use it. The name of the joint list may not contain the name of a party entered in the register of political parties.

Supplementary Provisions

Section 157 — Electing councillors without an election

If the number of candidates approved for the election is the same as the number of councillors of the municipality to be elected, no elections shall be held, and the central election committee of the municipality, in a meeting held on the fourth Sunday of October, declares the accepted candidates chosen as councillors. If the total number of candidates is less than the number of councillors to be elected, the number of the councillors shall be incomplete for a time.

In the case of the situation referred to in (1) a party or a constituency association has a right to nominate a deputy candidate for a candidate to whom applies what is laid down on candidates in this Act.

The deputy candidates referred to in (2) are nominated deputy councillors of the municipality. If needed, a deputy councillor is called to join the Municipality Council to replace a councillor, or, if the councillor has no deputy, he or she will be replaced by some other deputy councillor from the same non-aligned party, the same electoral alliance or the same joint list in the order stated by the party election representatives or, in the case of an electoral alliance, the party election representatives together or the joint list election representative.

If the order of the deputy councillors has not been reported to the central election committee of the municipality before the meeting referred to in (1), the central election committee shall decide the order.

Section 158 — Supplementary elections

If the number of councillors of the municipality during the election term is less than three quarters of the number laid down in the law, the chairperson of the Municipality Council must notify the Ministry of Justice of the matter. The Ministry may then order supplementary elections to be held, and at the same time order the number of councillors to be elected in the supplementary elections. What is provided in this Act on elections applies, as appropriate, to

supplementary elections. However, supplementary elections are only held in the municipality for which the representatives are elected.

Section 159 — Setting a new time for the elections

If the municipality elections or election procedures can not, for any reason, be conducted at the times provided in this Act, or if the number of candidates elected when determining election results or the number of candidates declared elected according to section 157 (1) at the time referred to in that subsection is less than the number of councillors of the municipality to be elected, the Ministry of Justice may, at the Municipality Council's suggestion, set a new time for the elections. If elections are not held prior to the end of the election term, the current councillors and the deputy councillors stay in office until the results of the postponed elections are published. What is provided in this Act on new elections applies, as appropriate, to these elections.

Chapter 12 — European Parliamentary elections

The time of European Parliamentary elections

Section 160 — Polling day

The European Parliamentary elections are held every fifth year.

The polling day for the European Parliamentary elections is the Sunday that is included in the four-day period from Thursday to Sunday in June stipulated by the Council of the European Union. If the elections can not be held in the member states during the afore-mentioned time period, the Council of the European Union will stipulate another time period for the elections, in which case the polling day shall be the Sunday included in this time period.

Exercising the Right to Vote

Section 161 — Injunction against voting more than once

No person may vote in more than one member state of the European Union in the same European Parliamentary elections.

Section 162 — Obligation of the Population Register Centre to notify

Immediately after the time period laid down in section 18 (5) has ended, the Population Register Centre must give notice of the enfranchised citizens whose home state is another member state of the European Union who have given notice of their wish to exercise their right to vote in Finland to the authorities of the member states in question.

Section 163 — The number of members and the parliamentary term

From Finland, 14 members are elected for the European Parliament for the parliamentary term of five years.

According to the election legislation of the European communities, the parliamentary term of a European Parliament member begins when the European Parliament's first meeting after the elections is opened and the members' mandates are approved, and ends when the Parliament's first meeting after the next elections is opened.

Section 164 — Eligibility, and posts and positions impeding membership

In respect to the eligibility of Finnish citizens for European Parliamentary elections what is laid down on eligibility for parliamentary elections is in force. A citizen of another member state of the European Union who is eligible to vote in Finland is eligible to stand as a candidate in European Parliamentary elections in Finland unless he or she has lost his or her eligibility for the European Parliament in his or her home state.

A member of the European Parliament cannot be:

- 1) A member of the Council of State;
- 2) A member of the European Commission;

- 3) A Judge, Advocate-General or Registrar of the European Court of Justice or of the Court of First Instance;
- 4) A member of the executive board of the European Central Bank;
- 5) A member of the European Court of Auditors;
- 6) The European Ombudsman;
- 7) A member of the Economic and Social Committees for the European Community or the European Atomic Energy Community;
- 8) A member of the Committee of Regions;
- 9) A member of a Committee or another body responsible for the permanent administration or finances of the Community as is provided in the Treaties regarding the European Community and the European Atomic Energy Community;
- 10) A member of the Board of Directors and Board of Governors of the European Investment Bank and a member of staff of the European Investment Bank;
- 11) An official or a staff member working in the service of a body or a specialist organisation of the European Community;
- 12) A person who is in a post or a position that impedes membership of a Parliament as is provided in the constitution.

If a person elected from Finland for membership of the European Parliament forfeits his or her eligibility or if he or she is appointed or selected for an appointment or position such as referred to in subsection 2, his or her membership in the European Parliament is terminated.

Nomination of candidates in the European Parliamentary Election

Section 165 — *Right to nominate candidates*

The right to nominate candidates for the European Parliamentary Election is vested in:

- 1) political parties;
- 2) enfranchised persons who have founded a constituency association.

In regard to the nomination of candidates, two or more parties have the right to establish an electoral alliance by mutual consent. Two or more constituency associations are entitled to establish a joint list in a similar manner.

The nominated candidates are candidates for the country of Finland as a whole.

Section 166 — *Maximum number of candidates*

A party, an electoral alliance or a joint list can nominate a maximum of 20 candidates.

Section 167 — *Injunction against multiple nomination*

In the same European election, no person is entitled to be nominated in more than one member state of the European Union. In the same European election, a person can be nominated as a candidate by only one party or one constituency association.

Section 168 — *Nomination of candidates by parties*

The candidates of a party are nominated as is further provided in the party regulations, in a manner ensuring the democratic power of influence of the party members.

Section 169 — *Establishment of a constituency association*

In order to establish a constituency association to nominate a candidate for the European Parliamentary elections, a minimum of 2 000 enfranchised persons are required.

A constituency association is established by drafting a dated and signed charter containing the following information:

- 1) Statement regarding which European Election is in question
 - 2) Name of the candidate and their title, occupation or position indicated with a maximum of two expressions, and the municipality of residence;
 - 3) The name, date of birth and address of each member;
 - 4) A signed affirmation from each member, affirming that they are entitled to vote in the election in question
 - 5) The name and contact information of the election representative and deputy election representative of the constituency association
- An enfranchised person is entitled to be a member in one constituency association only. If he/she is a member in two or more constituency associations, the electoral district committee of Helsinki is required to remove the name of the enfranchised person from all charters.

Candidate application in European Parliamentary Election

Section 170 — *Election representatives*

Every party and constituency association nominating candidates is required to appoint an election representative and a deputy for each representative. In addition, constituency associations that have established a joint list are required to authorize an election representative from one of the constituency associations to function as an election representative of the joint list and another person to function as his or her deputy.

An election representative of a party or a constituency association is not entitled to function as an election representative for another party or a joint list. An election representative of a constituency association is not entitled to function as an election representative for a party or a joint list other than that to which his or her constituency association belongs to, or as an election representative of another constituency association. An election representative of a party or a constituency association is not entitled to be a member or a deputy member of an electoral district committee or a central election committee of a municipality.

An application, announcement or correction, as referred to in this Act, may on behalf of an election representative be given by a person authorised by the election representative in question. What is laid down in this Act regarding the party, joint list and election representative of the constituency association, applies, as appropriate, also to the deputy representative.

A party is required, a minimum of 48 days prior to the polling day, to inform the electoral district committee of Helsinki of the names and contact information of the election representative and the deputy election representative of the party.

Section 171 — *Filing a candidate application*

An election representative of a party, joint list or a constituency association must file a candidate application with the electoral district committee of Helsinki minimum of 48 days prior to the polling day and before 4 p.m. on that day.

Section 172 — *Party candidate application*

A party candidate application shall include:

- 1) A draft of the party's candidate list containing the name, title, occupation or position indicated with maximum of two expressions and municipality of residence of each candidate, in the order the candidates are nominated in the combined list of the candidates. Next to the first name or replacing the first name, the name by which the candidate is generally known or an abbreviated version of the first name may be used. The list of candidates may not include any other details, unless these are

necessary to clarify the identity of a candidate.

2) A signed consent, including the personal identity code, from each candidate to be nominated by the party in question, and consent to accepting the position as a member of the European Parliament and an affirmation confirming that they have not given consent to candidacy for another party or a constituency association in the same election.

3) An affirmation in which a citizen of another European Union member state confirms that he or she has not given consent to a candidacy in another European member state in the same election, and a statement indicating their place of residence in Finland, and the member state of the European Union in which he or she is a citizen, and the electoral district or municipality in his or her home state in which he or she most recently appeared on the electoral roll for the European Parliamentary Election;

4) A certificate awarded by an authority in the home state of a citizen of another European Union member state, which is awarded to every nominated candidate as referred to in paragraph 3 and which confirms that the nominated candidate has not lost his or her eligibility for the European Parliament in his or her home state or that the awarding authority has not been notified of the loss of eligibility of the person in question.

The election representative of the party must date and sign the candidate application, which confirms that the candidates are eligible for the European Parliament.

Section 173 — *Notification on an electoral alliance*

If parties have agreed on establishing an electoral alliance, they are required to draft a joint notification that lists the parties participating in the electoral alliance. This notification is to be signed by all election representatives of the parties establishing the electoral alliance. The notification shall be filed with the electoral district committee of Helsinki simultaneously with the party candidate application by an election representative of a party that is participating in the electoral alliance.

Section 174 — *Constituency association candidate application*

The constituency association candidate application shall include:

1) A draft of a candidate list of the constituency application, which contains information regarding the candidate as is laid down in section 172 (1)(1)

2) A signed consent, including the personal identity code, accepting the candidacy of the constituency association the candidate has been nominated by and a consent accepting membership of the European Parliament and an affirmation confirming that the candidate has not accepted a candidacy for another party in the same election;

3) An affirmation by a citizen of another European Union member state, who has been nominated as a candidate, confirming that he or she has not accepted a candidacy in another European Union member state in the same election and a statement regarding his or her place of residence in Finland, which European Union member state he or she is a citizen of, and the electoral district or municipality in his or her home state in which he or she most recently appeared on the electoral roll for the European Parliamentary Election; and

4) A certificate awarded by an authority in the home state of a candidate, who is a citizen of another European member state, as is laid down in

section 3, which confirms that the candidate has not lost his or her eligibility for the European Parliament in his or her home state or that the awarding authority has not been notified of loss of eligibility of the person in question; and

5) A charter of the constituency association.

The candidate application is to be signed and dated by the election representative of the constituency association. The election representative shall in the application confirm that the candidate is eligible for election and that the members of the constituency association have personally signed the charter.

Section 175 — Notification of a joint list

If a constituency association has agreed on a joint list with one or more other constituency associations, a notification of the joint list and the constituency associations belonging to it and the candidates in the order the candidates are presented in the combined candidate list, is to be filed simultaneously with the candidate application of the constituency association. The notification is to be signed by the election representatives of the constituency associations that have established the joint list.

The notification shall also include the name and contact information of the election representative and deputy election representative of the joint list.

The notification may contain a suggestion on giving the combination of candidate lists a joint list name, which includes the term "joint list". The name cannot be inappropriate or generally or otherwise misleading by implication. The name may always consist of a name that is registered in the Register of Associations, if the constituency associations that have established the joint list have verifiably given consent to use the name by the association in question. The name may not, however, include a name of a party that is registered in the Register of Political Parties.

Certain administrative functions regarding the nomination of candidates

Section 176 — Notification on multiple nomination

If the Population Register Centre receives a notification from an official of another European Union member state regarding the nomination of an eligible Finnish citizen for the European Parliament in the country in question, who is also nominated in Finland in the same election, the Population Register Centre is required to immediately notify the district committee of Helsinki of this.

Section 177 — Notifications on candidates who are citizens of another European Union member state

The district committee of Helsinki is immediately, after the combination of candidate lists has been drafted, required to notify the Population Register Centre of citizens of other European union member states who appear on the combination of candidate lists. The population register office is required to send the information concerning these candidates immediately to the appropriate authorities in the home member states of these candidates.

The counting of votes, election results and result confirmation

Section 178 — Votes cast in electoral districts

In a meeting that is opened at 6 p.m. on the 3rd day after the polling day, the district committee confirms the number of votes each candidate, party, electoral alliance or joint list have in total received in the electoral district, and immediately notifies the district committee of Helsinki of the confirmed number of votes and the total number of votes cast in the election in the manner laid down by the Ministry of Justice

Section 179 — *Confirming the result of an election*

When the district committee of Helsinki has received the notification referred to in section 178 from all district committees, the district committee of Helsinki shall immediately confirm the result of the election observing, as appropriate, what is laid down in sections 88–91 regarding the calculation of comparative indices, decision by drawing lots and determination of election results.

Section 180 — *Publication of information*

The information regarding the counting of votes can not be made public until 10 p.m. on the polling day.

Section 181 — *Publication of election result*

The district committee of Helsinki is required to immediately inform the Ministry of Justice of the election result and to make a public proclamation of the election result that shall be published in the Statue Book of Finland.

Section 182 — *Form of letter of authorisation for Members of European Parliament*

After the district committee of Helsinki has confirmed the election result, the electoral district committee is required without delay to draft and deliver a letter of authorisation to each elected candidate and which reads as follows: "In the European Parliamentary election that was held on theday of the month of ...---. living at has been elected a member of the European Parliament from the beginning of the next meeting of the European Parliament until the first meeting after the next European Parliamentary election is opened.

This certificate is a letter of authorisation of a Member of the European Parliament."

Place and time.

If a membership of the European Parliament becomes vacant, the electoral district committee of Helsinki delivers an letter of authorisation to the person who is to replace the member. In this case the letter of authorisation shall read as follows: :

" Since after --- was elected to the European Parliament.on theday of the.month of.....in the European Parliamentary elections that were conducted in Finland and the membership has become vacant, therefore, according to the Election Act--- living at.... replaces him or her as a member of the European Parliament.

This certificate is a letter of authorisation of a Member of the European Parliament."

Place and time.

PART III — MISCELLANEOUS PROVISIONS

Chapter 13 — **Supplementary regulations**

Section 183 — *Injunction against appeal against party decisions*

The regulations laid down in the Associations Act in respect to the invalidation or censure of the association's decision, do not apply to the decisions of the party or the decisions of party district organisation, main organisation or other organisation, in respect of nominating candidates for an election, election procedures and election candidate applications.

Section 184 — *Right to attend of election representatives and election observer*

The election representatives of parties, joint lists, non-aligned constituency associations or persons who have specifically been authorised in writing in a document to the election authorities, have the right to attend election committee, municipality central election committee and election district committee meetings that are organised to determine the candidate numbers, to

organise or count the ballot papers or to determine the election result. The same right is vested in a person who is a representative of, or authorised by, the Ministry of Justice to observe the election.

Section 185 — *Criminal responsibility of an election official*

If a member of an election district committee, central election committee of a municipality, election committee or an electoral commission or an election assistant or any other person functioning as an election official as defined in this Act, neglects his or her duties, he or she is punished as if he or she had committed an offence in office.

Section 186 — *Crimes in elections*

In respect to punishment for election fraud, election bribery, deceitful voting and distortion of an election result what is laid down in Chapter 4 sections 1–4 of the Penal Code is in force

Section 187 — *Extracts and copies*

If an extract or a copy of a document referred to in this Act is given to someone other than the person the document concerns, or to an authority who is to conduct the functions referred to or arising from this Act, it must be given without the special identifying numbers and check mark in the identity number. There are separate regulations in force regarding mass delivery.

Section 188 — *Division of expenses between election authorities*

The Ministry of Justice is responsible for:

- 1) the expenses arising from the register of electors, the national candidate register and polling station register and other result programmes and information systems of the Ministry of Justice that are used in the election;
- 2) the expenses incurred due to the drafting of polling cards and their delivery to the enfranchised citizens
- 3) the expenses arising from ballots, election lists, electoral rolls and other election documents and election stamps, sealing equipment and ballot boxes as well as their delivery to the central election committees of the municipalities;
- 4) the expenses incurred from posting outer envelopes for advance polling as referred to in
- 5) section 62;
- 6) the expenses incurred from organising the advance polling abroad;
- 7) the expenses incurred due to election district committees.

The municipality is responsible for the expenses of the operations of the central election committee, election committees, election commissions and expenses of election assistants in advance polling stations and at-home voting, as well as expenses other than those laid down in subsection 1 that are incurred due to the conducting of the election. In relation to all other elections than municipal elections, the Ministry of Justice pays the municipality a lump sum in euros that has been confirmed by the Ministry per each enfranchised person who is resident in the municipality.

Other authorities are responsible for the expenses incurred in relation to the conducting of duties they are responsible for, which are other than those referred to in subsection 1.

Section 189 — *Changing the appointed day*

If the polling day falls on New Year's Eve or New Year's Day, Epiphany, Easter Sunday, May Day Eve or May Day, Whit Sunday, Independence Day, Christmas Eve, Christmas Day or Boxing Day, the polling day voting is organised on the

following Sunday.

If an appointed day, which has been laid down in law or stipulated for something other than polling day voting, commencing or ending of advance polling, announcing of selected representatives without conducting an election or confirming of an election result, falls on an official holiday or an ordinary Saturday or Midsummer Eve or Christmas Eve, the first following working day is considered to be the appointed day. If required, the Ministry of Justice has the right to change such an appointed day to the closest appropriate day, if a reelection is to be conducted due to an appeal or if a new parliamentary elections or a by-election is ordered to be held or if a Presidential election has been ordered to be recommenced or if an election of authorised representatives has been ordered to be conducted at a new time.

Section 190 — Transportation services for disabled persons

With regard to the transportation of disabled enfranchised persons to the polling and advance polling stations what has been laid down in respect to transportation services in the law governing the organisation of services and supporting functions for the disabled is in force. (380/1987)

Section 191 — Parties in member association relations

If any of the parties registered in the Register of Political Parties, maintained by the Ministry of Justice, have such a relationship as is referred to in section 2 (2) in the Act on Political Parties, they are in the application of this Act considered as one party.

Section 192 — Local registration administration authority in the province of Åland

The duties conducted for the city register office in relation to parliamentary elections, the Presidential election, and European Parliamentary elections, which otherwise are assigned to the local registration administration authority, are in the province of Åland conducted by the State Provincial Office.

Section 193 — Forms

The Ministry of Justice confirms the required templates for the documents and forms used in the elections and provides more detailed instructions on the form of the combined candidate list and list of candidates in the Presidential election.

Section 194 — Schedule of candidate nominations in elections conducted on an exceptional date

In respect of an extraordinary parliamentary election that is ordered to be conducted by the President, the nomination of candidates and related administrative duties are conducted, instead of on the appointed days determined in this Act as 48, 40, 34, 32 and 31 days prior to the polling day, on the appointed days 39, 31, 27, 24 and 23 days prior to the polling day.

If procedures to elect a president must be commenced due to the president, president-elect or a presidential candidate being permanently incapacitated or due to the death of the president, president-elect or a presidential candidate, what is in force regarding the nomination of candidates and the schedule of administrative duties shall apply as laid down in section 127 (3) in the Council of State Decision.

Section 195 — More detailed orders and instructions

The Ministry of Justice will, if required, give more detailed orders and instructions regarding the application of this Act.

Chapter 14 — Entry into force and transitional provisions

Section 196 — Entry into force

This Act enters into force on the 8th October 1998.

This Act repeals the following Acts and amendments to the Acts:

- 1) Act on Parliamentary elections passed on 13th June 1969 (391/1969);
- 2) Act on Presidential elections passed on 22nd July 1991 (1076/1991);
- 3) Act on Municipal elections passed on 12th May 1972 (361/1972); and
- 4) Act on the European Parliament Elections passed on 3rd March 1995 (272/1995)

Before this Act enters into force, procedures regarding the enforcement of this Act may be commenced.

Section 197 — *Transitional provisions*

If an election or a consultative referendum is conducted before 90 days has passed from the coming into force of this Act, the regulations which were in force when this Act came into force apply. In respect of a Parliamentary election that is conducted on the 21st March 1999 or prior to that date, and in respect to a Presidential election and the European Parliamentary elections that are to be conducted before the parliamentary election conducted prior to the parliamentary election referred to here, what is laid down regarding the division of the electoral districts in section 1 of the Act on Parliamentary elections and not what is laid down regarding division of the electoral districts in section 5 of this Act. Is to be applied

According to section 3 of the Act on Parliamentary elections, the parliamentary term of a central committee continues until the election district committee has been appointed as is laid down in section 11. The central election committee of a municipality that is appointed by the Council for their parliamentary term, according to section 4 of the Act on Municipal elections, functions as the central election committee for the said municipality, as referred to in section 13, until the end of the parliamentary period.

After this Act has come into force, references in other Acts or statutes to the Acts thus annulled are considered as referring to this Act.