

**Courtesy translation. Only the Danish version is authentic.**

*Consolidated Act no. 1292 of 8 December 2006*

## **Consolidated Act on Danish Parliamentary Elections (Extracts)**

The Act on Danish Parliamentary Elections is hereby promulgated, cf. Consolidated Act no. 704 of 27 June 2004, as amended by section 1 of Act no. 294 of 27 April 2005, section 78 of Act no. 537 of 24 June 2005, section 46 of Act no. 540 of 24 June 2005, section 12 of Act no. 542 of 24 June 2005, Act no. 501 of 7 June 2006, Act no. 502 of 7 June 2006, and Act no. 536 of 8 June 2006.

### **PART I DANISH PARLIAMENTARY ELECTIONS AND REFERENDUMS**

#### **Chapter 1 *Franchise and eligibility***

**Section 1.** Anyone holding Danish citizenship, who has turned 18 years of age, and who is domiciled in the Kingdom of Denmark shall have the franchise unless the person in question is under guardianship and deprived of his legal capacity, cf. section 6 of the Danish Guardianship Act.

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**Section 3.** No one may vote without having been registered as a voter.

**Section 4.** Anyone shall be eligible for the Danish Parliament who has the franchise under section 1, cf. section 2, unless the person in question has been punished for an act which will, in the general opinion, make him unworthy for being a member of the Danish Parliament, cf. sections 30 and 33 of the Danish constitution.

*Subsection 2.* A person may, however, run for election irrespective of objections of lack of eligibility.

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#### **Chapter 4 *Electoral register and polling card. Franchise Committee***

**Section 15.** Voters shall be registered on the electoral register in the municipality where they are registered on the national register, cf. however section 16.

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## Chapter 8 *Postal voting*

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Postal voting on Danish ships engaged in international voyages and Danish offshore installations

**Section 58.** Seafarers and passengers on Danish ships engaged on international voyages as well as persons employed on Danish offshore installations may vote by post on board the ship or offshore installation. The master of the ship or the person whom the master has appointed or the master of the offshore installation or the person whom the master has appointed shall function as the recipient of the votes.

*Subsection 2.* Postal votes cast more than 3 months before election day shall not count, cf. however subsections 3 and 4.

*Subsection 3.* Seafarers on Danish ships engaged in international voyages and their accompanying spouses may cast their postal votes on the ship from the day after parliamentary elections with validity for the next parliamentary elections.

*Subsection 4.* On Danish offshore installations in Danish territory, postal voting may take place the last 3 weeks before election day, however not later than the second-last weekday before election day.

**Section 59.** When parliamentary elections have been called, the Danish Minister of the Interior and Health shall ensure that masters of Danish ships engaged in international voyages and masters of Danish offshore installations are informed hereof.

*Subsection 2.* As soon as the master of a Danish ship engaged in international voyages becomes aware that parliamentary elections have been called, the master shall ensure that postal votes are cast on board. However, postal voting may be omitted if it cannot be expected, even through the use of the fastest method of posting, that the votes will reach their destination before the casting of votes is initiated on election day or if compelling and urgent shipping business is a hindrance to this. Similar provisions shall apply to Danish offshore installations.

### *Postal voting material*

**Section 60.** The postal voting material consists of a ballot paper, an envelope, a delivery letter and an outer envelope. The Danish Minister of the Interior and Health shall decide on the contents and layout of the postal voting material.

*Subsection 2.* The Danish Minister of the Interior and Health shall provide the postal voting material. The postal voting material shall be available from national registers and Danish representations abroad as well as on board Danish ships engaged in international voyages and on Danish offshore installations outside Danish territory at any time.

*Subsection 3.* The Danish Minister of the Interior and Health may decide that delivery letters and outer envelopes provided by the municipal council shall be equal to delivery letters and outer envelopes provided by the Danish Minister of the Interior and Health.

## *Postal voting procedure*

**Section 61.** Voters who want to cast their vote by post shall present the necessary identification to the recipient of the vote. Subsequently, the postal voting material shall be handed out, cf. section 60.

*Subsection 2.* On the ballot paper, the name or letter shall be given of a party which has candidates eligible for election in the large constituency where the voter is registered on the electoral register. If the voter wants to vote for a particular candidate who stands for election in the relevant large constituency, the name of the candidate shall be given, possibly together with the name or letter of the relevant party.

*Subsection 3.* The voter shall fill in the ballot paper outside the presence of anybody else and shall place it in the envelope. Subsequently, the voter shall fill in the delivery letter and sign this in the presence of the recipient of the vote, who shall certify the casting of the vote.

*Subsection 4.* If the voter is not able to fill in the ballot paper or fill in and sign the delivery letter, the recipient of the vote shall provide the necessary assistance, cf. however subsection 5. In case assistance has been provided, this shall be evident from the delivery letter.

*Subsection 5.* Assistance for filling in the ballot paper may be provided only if the voter is able to immediately and unambiguously say for which party or which candidate he wants to cast his vote.

*Subsection 6.* The envelope containing the ballot paper and the delivery letter shall be placed in the outer envelope, which shall be sent to the municipal council in the municipality where the voter is registered on the electoral register. On the outer envelope, the voter's name, date of birth and address shall be given.

**Section 62.** In connection with postal voting, recipients of votes may not give a voter advice or requests as regards the party or candidate for which to cast the vote. They may not inform unauthorized persons whether a voter has cast a postal vote or provide information about other circumstances pertaining to a voter's casting of his vote.

*Subsection 2.* No unauthorized person shall systematically check whether voters cast their postal votes.

**Section 63.** The Danish Minister of the Interior and Health shall lay down more detailed provisions on the arrangement and carrying out of postal voting and on the postal voting procedure.

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## **Section 69.**

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*Subsection 2.* A postal ballot paper shall be invalid if:

1. it is blank;
2. it cannot be determined for certain for which of the parties or for which candidate outside the parties the voters has intended to cast his vote;

3. only the name of a candidate who does not stand for election in the large constituency where the voter is registered on the electoral register or only the name of a party that does not have any candidates standing for election in the relevant large constituency is given on the ballot;
4. an envelope contains something else than or more than one ballot paper;
5. it must be assumed that the ballot paper has not be provided by the Danish Minister of the Interior or Health; or
6. the ballot paper has been provided with a distinctive feature.

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## Chapter 11

### *Approval of the election by Danish Parliament*

**Section 87.** The Danish Parliament shall decide on the validity of the election of the candidates.

*Subsection 2.* The Danish Parliament shall decide whether the calculations and accounts made by the Danish Minister of the Interior and Health may be approved or whether the Danish Minister of the Interior or Health is to make new calculations or accounts. Furthermore, the Danish Parliament may prescribe that the Danish Minister of the Interior or Health is to retrieve voting material, etc. for the Danish Parliament.

*Subsection 3.* The Danish Parliament may prescribe that the election committees are to make a renewed examination and account of the material or parts thereof that has been used for the parliamentary elections, cf. section 72(2).

**Section 88.** Any voter may complain about parliamentary elections. Complaints shall be addressed to the Danish Parliament and shall be sent to the Danish Minister of the Interior and Health. Complaints shall reach the Danish Minister of the Interior and Health no later than the day of the week succeeding election day.

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## Chapter 12

### *Referendums*

**Section 94.** The provisions of this chapter shall apply to referendums held in accordance with section 20(2), section 29(2) and section 42 of the Danish constitution.

**Section 95.** Notification of a referendum on a bill or an affirmed act shall be given by the Speaker of the Danish Parliament to the Danish Prime Minister and the Danish Minister of the Interior and Health.

*Subsection 2.* The Danish Prime Minister shall promulgate the bill or the act in the Danish Official Gazette with information about the day on which the referendum will take place. Referendums in accordance with section 20(2) and section 42 of the Danish constitution shall take place no earlier than 12 and no later than 18 weekdays after the promulgation.

*Subsection 3.* Referendums are held in the same voting districts as parliamentary elections.

**Section 96.** Anyone entitled to vote for the Danish Parliament and registered on the electoral register shall have the right to take part in referendums.

*Subsection 2.* When the date of a referendum has been set, the municipal council shall make an electoral register of the voters in the municipality and send out polling cards in accordance with the provisions of chapter 4 on parliamentary elections. In case of referendums not held in all parts of the Kingdom of Denmark, the same provisions shall, however, apply to registration on the electoral register or deletion from the electoral register, respectively, in case of migration to or from the part(s) of the Kingdom of Denmark where the referendum is not held as those that apply in case of migration to or from foreign countries.

*Subsection 3.* No later than 10 days before the referendum, the Danish Minister of the Interior and Health shall announce the date and time of the referendum as well as the sending out of polling cards in accordance with the provisions of chapter 4 on parliamentary elections.

**Section 97.** No later than when the day of a referendum has been set, the election committee, returning officers and polling officials shall be elected in accordance with the provisions of chapter 5 on parliamentary elections and with the tasks stipulated in this chapter, however with the changes ensuing from the nature of the referendum.

*Subsection 2.* At referendums, the election committee and the returning officers shall keep special records (reporting forms). The Danish Minister of the Interior and Health shall lay down regulations on the contents and layout of the reporting forms.

**Section 98.** On the ballot papers for referendums, the words “Ja” (Danish for Yes) and “Nej” (Danish for No) shall be printed, clearly separated from each other.

*Subsection 2.* The Danish Minister of the Interior and Health shall lay down more detailed provisions on the contents and layout of ballot papers.

**Section 99.** The casting of votes on election day shall take place in accordance with the provisions of chapter 7 on parliamentary elections, cf. however subsections 2 and 3.

*Subsection 2.* At the referendum, voters in favour of the bill or the act shall mark the word “Ja” (Danish for Yes) on the ballot paper, while voters who are against the bill or act shall mark the word “Nej” (Danish for No). Guidelines on this shall be available to the voters at the polling station in the form of posters.

*Subsection 3.* If two or more bills or acts are put to the vote on the same day, separate ballot boxes shall be provided at each polling station for use in connection with each proposal put to the vote. The voter shall receive a ballot paper for each proposal put to the vote. The voter shall bring all ballot papers in to the polling booth and place them in the relevant polling boxes after having cast his vote.

**Section 100.** In referendums, it shall be possible to vote by post in accordance with the provisions of chapter 8 on parliamentary elections, cf. however subsections 2-4.

*Subsection 2.* On the ballot papers for postal voting, the words “Ja” (Danish for Yes) and “Nej” (Danish for No) shall be printed, clearly separated from each other.

*Subsection 3.* Postal voting shall take place as stipulated in section 99(2).

*Subsection 4.* In referendums, postal votes may be cast at national registers during the last 3 months before election day, however no later than the second-last weekday before election day.

**Section 101.** The closing of the voting at the polling station, the preliminary and final counting of votes and the reporting to the Danish Minister of the Interior and Health about the voting shall take place in accordance with the provisions of chapter 9 on parliamentary elections with the changes ensuing from the nature of the vote, cf. however subsection 2.

*Subsection 2.* A ballot paper, including a ballot paper by post, shall be invalid if:

1. it is blank;
2. it has not been marked with an X in accordance with section 99(2);
3. it must be assumed that the ballot paper has not been handed out at the polling station;
4. it must be assumed that the postal ballot paper has not been provided by the Danish Minister of the Interior and Health;
5. an envelope in connection with postal voting contains other things or more than one ballot paper; or
6. the ballot paper has been provided with a distinctive feature.

*Subsection 3.* The Danish Minister of the Interior and Health may, after presentation to the Danish Parliament's Committee on the Verification of Credentials, lay down more detailed provisions on the examination of ballot papers.