

Courtesy translation. Only the Danish version is authentic.

Consolidated Act no. 1293 of 8 December 2006

Consolidated Act on Danish Municipal and Regional Elections (Extracts)

The Danish Act on Municipal Elections is hereby promulgated, cf. Consolidated Act no. 348 of 18 May 2005, as amended by section 79 of Act no. 537 of 24 June 2005.

Chapter 1 *Franchise and eligibility*

Section 1. Anyone shall have the franchise in municipal and regional elections who, on election day, has turned 18 years of age and who is domiciled in the municipality or the region, respectively, and who, in addition, either:

1. holds Danish citizenship;
2. is a citizen of one of the other EU member States;
3. is a citizen of Iceland or Norway; or
4. has been domiciled continuously in the Kingdom of Denmark during the last 3 years prior to election day.

Subsection 2. Anyone who is under guardianship with deprivation of his legal capacity, cf. section 6 of the Danish Guardianship Act, shall not have the franchise.

Subsection 3. Persons who, in accordance with the provisions of the Danish Act on the Centralised Civil Register, meet the conditions for being registered on the national register in the municipality shall be considered to be domiciled in the municipality and the region, respectively, in which the municipality is located.

Section 1a. Subject to reciprocity, the Danish Minister of the Interior and Health may conclude an agreement with another country stipulating that persons who are citizens of that country without also being Danish citizens shall be able to have the franchise earlier than stipulated in section 1(1), subparagraph 4.

Subsection 2. After the conclusion of an agreement in accordance with subsection 1, the Danish Minister of the Interior and Health shall, no later than 10 weeks before election day, determine the time requirement for continuous domicile in the Kingdom of Denmark that shall be a condition for citizens from the relevant country resident in this country having the franchise.

Section 2. No one may vote without having been registered as a voter.

Subsection 2. Anyone registered as a voter, but no longer domiciled in the municipality or the region, respectively, shall be entitled to vote.

Section 3. Anyone shall be eligible for the municipal and regional council who has the franchise for the municipal council and the regional council, respectively, and who on the Friday 25 days prior to election day or, if this is not the case, at 12 noon on the Monday 22 days prior to election day complies with the qualifications, except for those related to age and the duration of preceding domicile in the Kingdom of Denmark, cf. however section 4.

Section 3a. Subject to reciprocity, the Danish Minister of the Interior and Health may conclude an agreement with another country stipulating that persons who are citizens of that country without also being Danish citizens shall be eligible after continuous domicile in the Kingdom of Denmark for a shorter period of time than 3 years.

Subsection 2. After the conclusion of an agreement in accordance with subsection 1, the Danish Minister of the Interior and Health shall, no later than 10 weeks before election day, determine the time requirement for continuous domicile in the Kingdom of Denmark that shall be a condition for citizens from the relevant country resident in this country to be eligible.

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Chapter 6

Postal voting

Postal voting on the Faroe Islands, in Greenland and abroad

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Section 63. Voters residing on the Faroe Islands or in Greenland may cast their vote by post at Faroese or Greenland national registers or at a recipient of votes appointed by the Danish Minister of the Interior and Health.

Subsection 2. Voters residing abroad may vote by post at a Danish diplomatic or consular representation or at a recipient of votes appointed by the Danish Minister of the Interior and Health.

Subsection 3. Postal voting may take place from the third Tuesday in the month of August in the year of the elections.

Subsection 4. The Danish Minister of the Interior and Health shall ensure that Danish representations and other recipients of votes abroad are informed about the day of the municipal and regional elections.

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

Section 64. Seafarers and passengers on Danish ships engaged in 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 appointed by the master or the master of the offshore installation or the person appointed by the master shall function as the recipient of votes.

Subsection 2. Postal voting may take place from the third Tuesday in the month of August in the year of the elections, cf. however subsection 3.

Subsection 3. On Danish offshore installations in Danish territory, postal voting may take place from the Tuesday 3 weeks prior to election day, however not later than on the Saturday before election day.

Section 65. 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 about the day of the municipal and regional elections.

Subsection 2. The master of a Danish ship engaged in international voyages shall ensure that postal voting takes place on board in sufficient time for the postal votes to reach the municipal council before the casting of votes is initiated on election day unless compelling and urgent shipping business is a hindrance to this. Similar provisions shall apply to Danish offshore installations.

Postal voting material

Section 66. The postal voting material consists of a ballot paper for the municipal council election with an associated envelope, a ballot paper for the regional council election with an associated envelope as well as 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 no later than on the third Tuesday in the month of May in the year of the election and shall be available from Danish representations abroad and on board Danish ships engaged in international voyages and on Danish offshore installations outside Danish territory no later than from the third Tuesday in the month of August in the year of the election.

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 67. 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 66.

Subsection 2. On the ballot paper, the voter shall give the name or letter of a list of candidates standing for election in the municipality and region, respectively, 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 municipality and region, respectively, the name of the candidate shall be given, possibly together with the name or letter of the relevant list of candidates.

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 vote cast.

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 list of candidates 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 68. In connection with postal voting, recipients of votes may not give a voter advice or requests as regards the list of candidates 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 69. 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.

Receipt and check of postal votes

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Section 73. A voter who has cast a vote by post which has been considered valid may not vote in the relevant election on election day.

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Chapter 12
Miscellaneous

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Section 107. Expenses for municipal and regional elections shall be paid by the municipalities, cf. however sections 2-4.

Subsection 2. The regions shall pay the expenses for the arrangements that, in accordance with this act, rest with the regional council or the regional election committee. In case of a second ballot for the regional council, all election expenses shall be paid by the region, cf. however subsections 3 and 4.

Subsection 3. Expenses for postal voting material shall be paid by the Treasury.

Subsection 4. Postal expenses for the mailing of votes by post shall be paid by the authority, institution, ship or offshore installation represented by the recipient of the votes.

Section 108. Unless a heavier sentence is imposed under other legislation, any contravener of section 57, section 65(2) or section 68 shall be punishable by fine or imprisonment for a term of up to 4 months.

Subsection 2. Provisions issued in pursuance of the act may stipulate punishment by fine for contraventions of the provisions of these regulations.

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Section 109. The Danish Minister of Justice may lay down regulations ensuring that electioneering is not carried out in a way that disturbs the peace in or at public roads or spaces. The regulations may stipulate punishment by fine for contraventions of the provisions of the regulations.