

Guidance on postal voting on Danish ships engaged in international voyages and on Danish offshore installations

1. Introduction

Act no. 271 of 13 May 1987 on Danish Parliamentary Elections, Act no. 746 of 7 December 1988 on the election of Danish Representatives for the European Parliament and Act no. 140 of 8 March 1989 on Municipal Elections implement various amendments to the provisions on postal voting of particular importance to postal voting on Danish ships and on Danish offshore installations.

The right to vote by post on Danish ships engaged in domestic voyages, including ships with daily departures for foreign countries, has been revoked.

Danish offshore installations have been explicitly covered by the provisions on postal voting.

A general right has been introduced to annul a vote previously cast by post by casting a new vote by post. If a voter has cast more than one vote by post in the same election, the last vote cast will, consequently, count. On the other hand, the previous right to vote on election day, irrespective of a vote cast by post, has been revoked.

In the following, the provisions on postal voting on Danish ships engaged in international voyages and on Danish offshore installations for parliamentary elections, European Parliament elections, municipal elections and referendums will be covered.

General provisions on postal voting will not be covered. However, it should be mentioned that all voters staying abroad, on the Faeroe Islands or in Greenland may vote by post at a Danish representation (embassy or consulate) or at a Faroese or Greenland national registration office, respectively, from 3 months prior to election day.

Any voter staying in Denmark may vote by post at any national registration office from 3 weeks prior to election day. The deadline for postal voting in Denmark is the second-last weekday prior to election day.

This guidance shall supersede the Danish Ministry of the Interior's guidance of 14 October 1983 on postal voting on Danish ships.

2. Postal voting in parliamentary elections

2.1. Deadline for voting

At parliamentary elections, the special rule applies that seafarers on *Danish ships engaged in international voyages* and their spouses travelling with them may vote by post on the ship from the day after a parliamentary election with validity for the first coming parliamentary election.

In order to make use of the special rule, it is necessary that the master of the ship ensures that seafarers and their spouses travelling with them are at suitable points in time, i.e. at the signing on or in connection with the dispatch of post from the ship, made aware of the possibility to vote by post, including the possibility to annul a vote previously cast by post by the casting of a new one.

Attention is drawn to the fact that it is not possible to vote by post at a national registration office in Denmark earlier than 3 weeks prior to election day, neither for seafarers.

Passengers may vote only during the last 3 months prior to election day. Passengers also have a possibility of annulling a vote previously cast by post by the casting of a new one. Furthermore, they may cast a new vote by post if a vote previously cast by post has become “obsolete” due to the 3-month rule.

On *Danish offshore installations outside Danish territory* postal voting may take place from 3 months prior to election day. The same provisions apply concerning the possibility to cast a new vote by post as for passengers on Danish ships engaged in international voyages.

On *Danish offshore installations on Danish territory* postal voting may take place during the last 3 weeks prior to election day, but not later than the second-last weekday prior to election day.

2.2. *Information about the election*

Elections for the Danish Parliament are not predetermined (however, elections are held at least once every 4 years). Elections are typically called with a notice of 3-4 weeks.

As soon as parliamentary elections have been called, Danish ships engaged in international voyages and Danish offshore installations will be informed hereof. At the same time, information is submitted about the names and letters of the nominated parties.

As soon as the master of the ship or of the offshore installation, respectively, becomes aware that parliamentary elections have been called, the master of the ship or of the offshore installation, respectively, shall ensure that voting takes place on board without delay.

The carrying out of postal voting may, however, be omitted if, even by using the fastest method of posting, the postal votes are unlikely to reach the voters’ home districts before the beginning of the election on election day or if compelling and urgent shipping matters are a hindrance hereto.

2.3. *Registered voters*

On Danish ships engaged in international voyages, the ship’s crew as well as their spouses travelling with them and the passengers may vote on board.

On Danish offshore installations, persons employed on the offshore installations may vote on board.

It is a condition for a person voting that he has the right to vote and is a registered voter. However, the recipient of the vote, cf. section 2.5, shall not check that these conditions are met. This check shall be carried out by the home district.

Anyone has the right to vote in parliamentary elections who, on election day:

- is a Danish citizen;
- is 18 years of age;
- is domiciled in Denmark

unless the person in question is legally incapacitated.

Domiciled in Denmark shall normally mean that the person in question is registered on the national register of a Danish municipality.

Persons registered on the national register who meet the voting requirements shall automatically be admitted on to the electoral register in the municipality of residence.

Persons who temporarily reside in a foreign country and, therefore, are not registered on the national register shall, however, in some cases be considered to have kept their residential status in the Kingdom of Denmark. They may, after application, be registered as voters for parliamentary elections. Application for registration as a voter for parliamentary elections shall be directed to the municipality where the person in question was last registered on the national register.

2.4. Postal voting material

For postal voting, the material produced by the Danish Ministry of the Interior shall be used.

The postal voting material for parliamentary elections consists of:

1. a ballot paper, grey of colour, with the word “Stemmeseddel” (Danish for ballot paper) printed on it and provided with 3 spaces for indicating the letter of the party, the name of the party and the name of the candidate;
2. a small blue envelope in which to put the ballot paper;
3. a delivery letter; and
4. a yellow-brown outer envelope.

The postal voting material shall be available on Danish ships engaged in international voyages and on Danish offshore installations outside Danish territory at any time.

The postal voting material shall normally be distributed to ships and offshore installations by the shipping companies. The postal voting material may be ordered from Barfod & I. Chr. Petersen A/S, Fabriksparken 56, Post Office Box 1332, DK-2600 Glostrup, tel. +45 42 45 15 16, fax +45 42 45 18 71.

Furthermore, the postal voting material may be obtained from national registers and from Danish representations abroad.

2.5. The postal voting procedure

The master or the person appointed by him shall function as the recipient of postal votes on Danish ships engaged in international voyages. The master of the offshore installation or the person appointed by him shall function as the recipient of postal votes on Danish offshore installations. No one, neither the master of the ship nor the master of the offshore installation, should function as the recipient of his own postal vote.

The voting shall take place in a room especially arranged for this purpose or at a secluded table or desk. It shall be possible for the voter to fill in the ballot paper without others seeing how the voter casts his vote.

Voters wishing to vote by post shall present the identification necessary to the recipient of the vote (discharge book, passport or equivalent). If the recipient of the vote has a firm knowledge of the voter's identity, the requirement to show ID may be ignored. Subsequently, the voting material shall be handed out to the voter.

Immediately after the voter has received the voting material, the voting shall take place.

The recipient of the vote shall ensure that the voter does not remove the voting material from the room where the voting takes place.

1. On the ballot paper the voter shall write the name or the letter of a party eligible for election. If the voter wants to vote for a particular candidate eligible for election in a large or county constituency where the voter is registered as a voter (registered on the national register), the name of the candidate shall be written on the ballot paper, possibly with the addition of the party's name or the letter of the party for which the candidate runs. At least one of the 3 spaces on the ballot shall be filled in.
2. When the voter has filled in the ballot paper, the voter shall put the ballot in the envelope and seal it.
3. Subsequently, the voter shall fill in the delivery letter. When the delivery letter has been filled in, the voter shall sign it in the presence of the recipient of the vote.
4. The recipient of the vote shall certify the voting with his signature on the delivery letter and by stating his position. The delivery letter shall also be supplied with the stamp or name of the ship or the offshore installation, respectively.
5. The voter shall put the envelope containing the ballot paper in the outer envelope along with the delivery letter and address this to the municipal council in which the voter is registered as a voter (registered on the national register). In the space on the back of the outer envelope, the voter shall write his name, date of birth and address.
6. The outer envelope containing the envelope with the ballot paper and the delivery letter shall be handed over to the recipient of the vote who shall ensure that the outer envelope is mailed to the relevant municipal council in question as soon as possible. Every outer envelope shall be mailed separately. Several outer envelopes addressed to the same municipal council may not be packed into one package and mailed as one or mailed in any way equivalent hereto.

The postal expenses for mailing the votes shall be held by the ship or by the offshore installation (the shipping company), respectively.

Attention is drawn to the fact that the recipient of the vote may not advise or encourage a voter about which party (list of candidates) or candidate to vote for. They may not inform unauthorized persons of whether or not a voter has cast his vote or any other business concerning the cast of votes.

No unauthorized person may keep register of the casting of votes by post.

3. Postal voting for the European-Parliament

3.1. Deadline for voting

On Danish ships engaged in international voyages and on Danish offshore installations outside Danish territory votes by post may be cast from 3 months prior to election day. On Danish offshore installations on Danish territory votes by post may be cast from 3 weeks prior to election day, but not later than the second-last weekday prior to election day.

3.2. Information about the election

Elections for the European Parliament are held every fifth year in the first half of the month of June. The next elections for the European Parliament will be held in June 1994. Danish ships engaged in international voyages and Danish offshore installations will be informed about the conduction of the election in due time before the voting on board may start in March and May, respectively, in the year of the election. At the same time, information will be given about the parties eligible for election to the European Parliament.

3.3 Those entitled to vote

Everyone entitled to vote in parliamentary elections, cf. section 2.3, shall also be entitled to vote in European Parliament election.

Furthermore, Danish citizens, 18 years of age and domiciled in one of the other EU member States shall be entitled to vote. However, these voters who shall, after application, be registered on a special list of voters in the local district of Copenhagen may cast their votes only at a Danish representation in one of the other EU member States and not, for example, on Danish ships engaged in international voyages or on Danish offshore installations.

3.4. Postal voting material

Special postal voting material shall be used in connection with elections for the European Parliament. On the ballot paper, the words “Stemmeseddel til Europa Parlamentsvalg” (Danish for ballot paper for European Parliament elections) are printed, and the ballot is provided with 3 spaces for indicating the letter of the party, the name of the party and the name of the candidate. The envelope for the ballot paper is – in addition to guidelines on how to fill in the ballot paper – imprinted with the words “Stemmeseddel til Europa Parlamentsvalg” (Danish for ballot paper for European Parliament elections). The text on the delivery letter is designed especially for European Parliament elections. The outer envelope is green.

From at least six months prior to the election, postal voting material shall be available from the same places as the postal voting material for parliamentary elections.

3.5. Postal voting procedure

For the procedure of postal voting for European Parliament elections, the same rules shall apply as those that apply to parliamentary elections, cf. the above section 2.5.

At European Parliament elections the voters may – contrary to parliamentary elections – vote for the same candidates, regardless of the district in which the voters have been registered.

4. Postal voting for municipal elections

4.1. Deadline for voting

On *Danish ships engaged in international voyages* and on *Danish offshore installations outside Danish territory* votes by post may be cast from the third Tuesday in the month of August in the year of the election, i.e. from approximately three months prior to election day. For the next municipal elections, the postal voting may start on 17 August 1993, cf. below. On *Danish offshore installations on Danish territory*, postal voting may take place from 3 weeks prior to election day, but not later than the second-last weekday prior to election day.

4.2. Information about the election

Elections for municipal councils and county councils are held every fourth year. The elections shall take place on the third Tuesday in November.

The next municipal elections will be held on Tuesday, 16 November 1993, subsequently on Tuesday, 18 November 1997, and so forth.

Danish ships engaged in international voyages and Danish offshore installations shall be informed of the conduction of the next municipal elections in due time before the voting on board may start.

In the beginning of August in the year of the election, ships and offshore installations shall receive information about the letter of the national parties participating in the election. There will not be submitted any information about the lists of candidates eligible in individual municipalities and counties.

4.3 Those entitled to vote

With a few exceptions, the same rules shall apply as those that apply to parliamentary elections. However, persons entitled to vote in parliamentary elections, regardless of a temporary stay in a foreign country (and opting out of the national register), shall not be entitled to vote at municipal elections.

Persons who are not Danish citizens shall be entitled to vote in municipal elections if they are domiciled in the municipality/county, are 18 years of age and have had their permanent residence in the Kingdom of Denmark during the last 3 years prior to election day (unless those in question have been declared incapable of managing their own affairs).

4.4. Postal voting material

For municipal elections, the same postal voting material shall be used as that used for postal voting in parliamentary elections, cf. the above section 2.4.

4.5. Postal voting procedure

The procedure shall be the same as for postal voting in parliamentary elections, cf. the above section 2.5.

The voter shall fill in 2 sets of voting material. One set for the municipal council election and one set for the county council election. On the delivery letter and on the outer envelope, there shall be spaces for indicating whether the vote has been cast for the municipal council election or for the county council election. The 2 sets of postal voting material shall be mailed separately.

Voters registered in the district of Copenhagen or Frederiksberg shall, however, fill in only one set of postal voting material as these districts are not divided into counties.

5. Postal voting for referendums

For referendums, regulations apply similar to those that apply for parliamentary elections with the deviations ensued by the nature of the referendum.

As soon as the day of the election has been set, information hereof will be submitted.

At the voting, special ballot papers with the words “Ja” (Danish for Yes) and “Nej” (Danish for No) divided by a printed line shall be used. Furthermore, a red envelope for the ballot paper shall be used.

When casting their vote, voters in favour of the bill or the act shall mark the space with the word “Ja” (Danish for Yes), while voters who are against the bill or the act shall mark the space with the word “Nej” (Danish for No).

6. Delimitation of Danish ships engaged in international voyages and Danish offshore installations

6.1. Danish ships engaged in international voyages

The election acts do not contain any further provisions on the meaning of a Danish ship engaged in international voyages.

In the preliminary work for the new election acts, it is assumed that a Danish ship is a ship flying the Danish flag and subject to Danish law.

The revocation of the provisions on postal voting on Danish ships engaged in domestic voyages means that there is no longer any right to vote on ferries with daily departures from a Danish port or on any other ship where there is no reason to maintain such a right as the seafarers have the opportunity to make use of the general right to vote by post at national registers from 3 weeks prior to election day.

The provisions on postal voting on Danish ships engaged in international voyages shall also apply to Danish fishing vessels engaged in fishing operations in remote regions. Depending on the circumstances, these provisions shall also apply to Danish warships. The provisions on postal voting shall not apply to pleasure craft.

6.2. Danish offshore installations

The election acts do not contain provisions on the meaning of a Danish offshore installation.

In the preliminary work for the new election acts, it is assumed that a Danish offshore installation is an offshore drilling rig; an offshore production platform, etc. covered by Act no. 292 of 10 June 1981 on certain offshore installations.

Danish territory shall mean Danish territorial waters and the continental shelf territory.

7. Particulars on voters domiciled on the Faeroe Islands or in Greenland

Voters domiciled on the Faeroe Islands or in Greenland shall be covered by the special provisions on parliamentary elections that apply to the Faeroe Islands or Greenland, respectively.

These voters shall have the same right as voters domiciled in Denmark to vote by post for parliamentary elections (but not for European Parliament elections and municipal elections in Denmark) on Danish ships engaged in international voyages and Danish offshore installations.

The same postal voting material and the same procedure shall be used as that used for parliamentary elections by voters domiciled in Denmark. Faroese and Greenland voters shall fill in the ballot paper, stating the name of a party and/or candidate running for parliamentary elections on the Faeroe Islands or in Greenland, respectively.

8. Provisions on postal voting on Danish ships engaged in international voyages and Danish offshore installations

The provisions on postal voting for *parliamentary elections* are found in chapter 8 of Act no. 271 of 13 May 1987 on parliamentary elections. The particular provisions on postal voting on Danish ships engaged in international voyages and Danish offshore installations are found in sections 58-62.

The provisions on postal voting for *European Parliament elections* are found in chapter 8 of Act no. 746 of 7 December 1988 on election of Danish representatives for the European Parliament (the European Communities Assembly). The provisions of the Act on postal voting, including those on postal voting on Danish ships engaged in international voyages and Danish offshore installations, consist of a reference to the equivalent provisions in the Danish Act on Parliamentary Elections with the exceptions that ensue from the above section 3, cf. section 2.

The provisions on postal voting for *municipal elections* are found in chapter 6 of Act no. 140 of 8 March 1989 on municipal elections. The particular provisions on postal voting on Danish ships engaged in international voyages and Danish offshore installations are found in sections 64-68.

The provisions on postal voting for *referendums* are found in the Danish Act on Parliamentary Elections, chapter 12, section 100. The provisions consist of a reference to the regulations that apply to postal voting for parliamentary elections, with the exceptions that concern the layout and completion of the ballot papers, cf. the above section 5.

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