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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted and
the President has proclaimed the following Law:

Pre-election Campaign Law

Chapter I General Provisions

Section 1. Terms Used in the Law

The following terms are used in this Law:

1) **campaigner** – a political party, an association of political parties, voters association, a deputy candidate and an unrelated person conducting a pre-election campaign;

2) **unrelated person** – a natural person, a legal person, not related to political parties, their associations or voters associations, or a registered association of such persons conducting a pre-election campaign in their name;

3) **pre-election campaign** – advertising of a political party, associations of political parties, voters association or a deputy candidate in the mass media or otherwise, if it contains a direct or indirect invitation to vote for or against any political party, association of political parties, voters association or a deputy candidate;

4) **period of pre-election campaign** – a time period from the 120th day before the elections until the election day. If the *Saeima* is dissolved or recalled or a city council or a municipality council is dissolved, or the repeat election is announced, the period of pre-election campaign shall be the time period from the day of announcing the elections until the election day;

5) **payment** – any remuneration, including any financial benefits, services, transfer of rights, exemption from an obligation, waiver of any right in favour of another person, etc.;

6) **hidden pre-election campaign** – a pre-election campaign, for which a payment is received and the payer of which (provider of the compensation) is not indicated in contradiction with the provisions of this Law.

Section 2. Purpose of the Law

The purpose of this Law is to provide opportunity for an individual to express his or her view and for the public to obtain comprehensive information on the deputy candidates, the lists of the deputy candidates, the political parties, associations of the political parties and voters associations before the election of the *Saeima*, the elections to the European Parliament and the city councils and municipality councils (hereinafter also – the elections of local governments).

¹ The Parliament of the Republic of Latvia

Section 3. Prohibition of the Hidden Pre-election Campaign

- (1) The hidden pre-election campaign is prohibited.
- (2) In case of infringement of Paragraph one of this Section, the resources spent for the hidden pre-election campaign shall be included in the campaigner's pre-election expenses.

Section 4. Pre-election Campaign Conducted by Unrelated Persons

- (1) Unrelated person has the right to conduct pre-election campaign in accordance with the procedure laid down in this Law.
- (2) Pre-election campaign conducted by an unrelated person shall not be considered a campaign conducted by a political party, association of political parties or voters association, which has submitted lists of deputy candidates, a deputy candidate of such a political party, association of political parties or voters association, as well as a political party within an association of political parties, if such an association has submitted lists of deputy candidates.
- (3) Financial resources or property that is used for pre-election campaign conducted by unrelated persons shall not be considered as a gift (donation) to a political party or an association of political parties within the meaning of the Law On Financing of Political Organisations (Parties).
- (4) State authorities and authorities of derived public persons and capital companies in which the State or derived public persons own capital shares (stocks) as well as capital companies in which shares (stocks) owned by one or more State capital companies or capital companies of derived public persons individually or in aggregate exceed 50 per cent are prohibited to conduct pre-election campaign.

Section 5. Restrictions for the Pre-election Campaign Expenses

- (1) Restrictions for the amount of pre-election campaign expenses (pre-election expenses) of a political party and association of political parties shall be regulated by the Law On Financing of Political Organisations (Parties).
- (2) Unrelated person for pre-election campaign may use resources not exceeding 15 minimum monthly wages. A minimum monthly wage within the meaning of this Law shall be the amount of the minimum monthly wage which was determined on 1 January of the relevant calendar year.
- (3) The amount of resources referred to in Paragraph two of this Section that an unrelated person may use for pre-election campaign shall consist of the expenses by the relevant person during the period of pre-election campaign regardless of the date on which a document confirming a transaction (bill, contract or other document) was written out, or payment was received or made for:
 - 1) placement of an advertisement:
 - a) in the television programmes and broadcasts of the public electronic mass medium,
 - b) in the radio programmes and broadcasts of the public electronic mass medium,
 - c) in the television programmes and broadcasts of the commercial electronic mass medium,
 - d) in the radio programmes and broadcasts of the commercial electronic mass medium,
 - e) in newspapers, magazines, bulletins and other periodicals registered in accordance with the procedures laid down in the law, produced by print technology and widely circulated throughout the whole territory of the State,

- f) in newspapers, magazines, bulletins and other periodicals registered in accordance with the procedure laid down in the law, produced by print technology and mostly circulated within the territory of one city or municipality,
 - g) on the Internet, except website of an unrelated person,
 - h) in premises and public places (in squares, streets, on bridges and in other similar places) regardless of the ownership;
- 2) utilisation of postal services (also electronic mail) in order to send the pre-election campaign materials with the help of it;
- 3) financing, sponsoring charity events, disbursing benefits and making gifts (donations) if they are of the nature of a pre-election campaign.
- (4) All financial resources, which are used for pre-election campaign conducted by unrelated persons and exceed one minimum monthly wage, shall be transferred into the bank account of the recipient directly and without mediators. If the amount of financial resources used for pre-election campaign conducted by unrelated persons has reached a minimum monthly wage, subsequent financial resources regardless of their amount directly and immediately shall be transferred into the bank account of the recipient directly and without mediators.
- (5) If the total payment made by an unrelated person for pre-election campaign to the same electronic mass medium, publication, the person who agreed with the campaigner on the placement of materials of pre-election campaign on the Internet, as well as the person or authority which allocates premises and public places for payment for conducting the pre-election campaign (regardless of ownership), or provides postal (including electronic mail) services to send the pre-election campaign materials, in case of entering into a contract would exceed the amount of the expenses set out in Paragraph two of this Section, the relevant electronic mass medium, publication, person, who agrees with the campaigner on the placement of materials of pre-election campaign on the Internet, as well as the person or authority, which allocates premises and public places for payment for conducting the pre-election campaign (regardless of ownership), or provides postal (including electronic mail) services to send the materials of pre-election campaign, shall refuse entering into a contract for the unrelated person.

Chapter II

State Ensured Broadcasting Time in Electronic Mass Media Programmes

Section 6. Right to the State Ensured Free of Charge Broadcasting Time

- (1) Deputy candidates who are on the list of deputy candidates of the same title have rights to use the State ensured free of charge broadcasting time for the pre-election campaign in the first television and radio programme of the public electronic mass media in cases, in accordance with the procedures and within the amount set out in this Chapter.
- (2) Deputy candidates who are in the list of deputy candidates of the same title submitted for the elections of the *Saeima* or for the elections of the European Parliament, or deputy candidates who are in the list of deputy candidates of the same title submitted for the elections of local governments have the right to the State ensured free of charge broadcasting time, if the relevant list is submitted to the elections of the Riga City Council or elections of totally at least five city councils or municipality councils (and in any combination thereof).
- (3) The State ensured free of charge broadcasting time shall not be granted for repeated voting.

Section 7. Amount of the State Ensured Free of Charge Broadcasting Time

- (1) Deputy candidates who are in the list of deputy candidates of the same title have the right before the elections of the *Saeima*, the European Parliament and the elections of local

governments to use the State ensured free of charge broadcasting time for pre-election campaign in the first television and radio programme of the public electronic mass media four times for five minutes in the period from the 25th day until the penultimate day before the election day.

(2) If the *Saeima* is dissolved or recalled, deputy candidates who are in the list of deputy candidates of the same title have the right to use the State ensured free of charge broadcasting time for pre-election campaign in the first television and radio programme of the public electronic mass media two times for five minutes in the period from the seventh day until the penultimate day before the election day.

Section 8. Procedure for Granting the State Ensured Free of Charge Broadcasting Time

(1) To receive the State ensured free of charge broadcasting time, the representative of the deputy candidates who are in the list of deputy candidates of the same title shall lodge a submission to the public electronic mass media on the use of the State ensured free of charge broadcasting time within the time limits referred to in Paragraph four of this Section.

(2) The submission referred to in Paragraph one of this Section shall contain the title of the submitted list of deputy candidates, contact information, as well as for the elections of the *Saeima* – the electoral district, in which the relevant list of candidates has been applied, but for the elections of local governments – the city or municipality, for which council elections the lists of deputy candidates have been applied.

(3) In co-operation with the Central Election Commission the public electronic mass media shall ensure the compliance of the list of deputy candidates set out in the submission referred to in Paragraph one of this Section with the requirements referred to in Section 6, Paragraph two of this Law.

(4) The submissions to the public electronic mass media referred to in Paragraph one of this Section shall be lodged not later than:

- 1) 40 days before the *Saeima* or the European Parliament election day;
- 2) 20 days before the *Saeima* election day, if the current *Saeima* has been dissolved or recalled;
- 3) 29 days before the election day local governments.

(5) The sequence of use of the State ensured free of charge broadcasting time shall be determined by drawing lots. Such draw may not be used for the election campaign.

(6) The drawing of lots and compliance with the limits of broadcasting time referred to in Section 7 of this Law shall be ensured by the relevant public electronic mass medium. If representatives of a list of deputy candidates do not participate in the draw, the broadcasting time of the list of deputy candidates shall be drawn by the representative of the public electronic mass medium.

(7) By organising the drawing of lots referred to in Paragraphs five and six of this Law the public electronic mass media shall offer a broadcasting time intended for a wide audience.

Section 9. Procedure for Use of the State Ensured Free of Charge Broadcasting Time

(1) The State ensured free of charge broadcasting time for pre-election campaign may be used by all deputy candidates, who are in the list of deputy candidates of the same title, together or, upon reaching an agreement, by some of them. The relevant public electronic mass medium shall be notified on such agreement in each individual case.

(2) Deputy candidates who are in lists of deputy candidates of different titles may reach an agreement on a joint use of the broadcasting time within the framework of the broadcasting time provided for them if they have the right to use the state ensured free of charge broadcasting time for pre-election campaign. Such agreement shall be notified to the public electronic mass media at least 40 days before the *Saeima* or the European Parliament election

day and at least 29 days before the election day of local governments. If the *Saeima* is dissolved or recalled, the notification of the agreement shall be submitted to the public electronic mass media 20 days before the election day. Notification of the agreement on a joint use of broadcasting time is not reversible and revocable.

(3) The State ensured free of charge broadcasting time may be used by the deputy candidates who are in the relevant list of deputy candidates at their discretion.

Section 10. Participation in the Pre-election Broadcasts in the Television Programmes of Electronic mass media within the Framework of the Public Remit

(1) In the year of the elections of the *Saeima*, the elections to the European Parliament or the elections of local governments the National Electronic Mass Media Council in addition to the State ensured free of charge broadcasting time within the framework of public remit shall plan the funding for the production of pre-election broadcasts in the television programmes of the public and commercial electronic mass media.

(2) The funding for pre-election broadcasts of the public remit shall be granted in accordance with the procedures laid down in Section 71 of the Electronic Mass Media Law.

(3) The lists of deputy candidates submitted for elections have the right to participate, at least once, in the pre-election broadcasts in the television programmes of electronic mass media within the framework of public remit. The electronic mass medium shall determine the procedure for the pre-election broadcasts, including criteria for the participation of deputy candidates, and this procedure shall be published on a timely base.

(4) In the year of the elections of local governments within the framework of public remit the National Electronic Mass Media Council shall additionally plan the funding for production of pre-election television broadcasts within the broadcasting territories of regional and local electronic mass media, but with regard to the reflection of the lists submitted for the elections of the Riga City Council – within the television programmes of the national electronic mass media.

Chapter III

Pre-election Campaign in the Television and Radio Programmes of Electronic Mass Media

Section 11. General Conditions for the Pre-election Campaign in the Television and Radio Programmes of Electronic Mass Media

(1) Campaigner or its authorized person shall enter into the contract on granting of broadcasting time directly and without mediators only with the electronic mass medium.

(2) If an electronic mass medium has granted broadcasting time to some campaigner for pre-election campaign, this medium has an obligation to provide an opportunity for other campaigners, if they wish so, to present themselves as long in a possibly equivalent time and for a payment that complies with the price list of pre-election campaign determined by the relevant electronic mass medium on the day when a written application by the campaigner was submitted to the electronic mass media on the use of broadcasting time for pre-election campaign. The electronic mass media has such obligation only in case if the broadcasting time requested by the campaigner for pre-election campaign may be granted in accordance with the provisions of the Electronic Mass Media Law governing the maximum amount of advertising time.

(3) At least 150 days before the election day the electronic mass medium shall send to the National Electronic Mass Media Council the price lists of the pre-election campaign broadcasting time, including estimated deductions and criteria of application of deductions,

for the entire pre-election period. The National Electronic Mass Media Council shall publish the abovementioned information on the website thereof without delay.

(4) If the *Saeima* is dissolved or recalled or a city council or a municipality council is dissolved, or the repeated election is announced, the electronic mass medium shall send the price lists of the pre-election campaign broadcasting time to the National Electronic Mass Media Council for publishing not later than within three working days from the date of announcing the election.

(5) The price lists of broadcasting time determined by the electronic mass media for the relevant hour of the day may not exceed the average price lists by this electronic mass medium (including deductions) for broadcasting of audio and audiovisual commercial announcements of the same programme during the same hour of the day in the previous calendar year for more than 50 per cent.

(6) The electronic mass medium is prohibited to place the pre-election campaign materials at a higher or lower price than determined in the price lists referred to in this Section. Such price lists may not be amended after their publishing.

(7) If the electronic mass medium has not sent to the National Electronic Mass Media Council the price lists of the pre-election campaign broadcasting time in conformity to the provisions of this Section and within the time limits set out therein, such mass medium is to be prohibited to place the pre-election campaign materials for payment.

(8) Prior to each of the pre-election campaigns set out in this Section and immediately after thereof it shall be clearly and unambiguously communicated which campaigner has paid for the pre-election campaign.

(9) Provisions of this Section shall not apply to the use of the State ensured free of charge broadcasting time in television and radio programmes of the public electronic mass media.

Section 12. Restrictions for the Pre-election Campaign in the Television and Radio Programmes of Electronic Mass Media

(1) The pre-election campaign broadcasts may not be included as advertisements in news programmes of the electronic mass media.

(2) Electronic mass media may not edit, compile or otherwise modify broadcasts and materials of pre-election campaign without a consent by the relevant political party, association of political parties, voters association, their deputy candidates and unrelated persons participating in these broadcasts or who have submitted pre-election campaign materials to the relevant electronic mass medium.

(3) Electronic mass media shall not be liable for veracity of data included in the pre-election campaign materials that were previously prepared and submitted to them.

(4) It is prohibited to include the results of public opinion polls on popularity of political parties, association of political parties, voters association or individual deputy candidates in broadcasts of electronic mass media on the election day during the course of election laid down in the law.

(5) The employees of public electronic mass media and persons who conduct the news programmes of these mass media are prohibited to conduct pre-election campaign in the broadcasts.

(6) On election day, as well as 60 days prior to the election day electronic mass media are prohibited to distribute broadcasts led by, commentaries, interviews and reports prepared by persons who have been nominated as deputy candidates or who before the elections have made a public announcement on their participation in activities of any political party, association of political parties or voters association. These persons may be assigned to conduct duties that are not related to direct participation in the programmes distributed by electronic mass media. If it is not possible, the relevant persons may be granted a leave. If the *Saeima* is dissolved or recalled or a city council or a municipality council is dissolved, or the

repeated election is announced, this restriction shall apply to the time period from the date of announcement of elections to the election day.

(7) Electronic mass media shall comply with the prohibition of placement of the pre-election campaign material set out in Section 32 of this Law.

[10 April 2014]

Section 13. Pre-election Campaign in the Programmes of Foreign Electronic Mass Media

Electronic mass media, which are providing retransmission of programmes by foreign electronic mass media in Latvia shall include a provision in the contract with the relevant foreign electronic mass medium that during the period of pre-election campaign programmes to be re-transmitted in Latvia may not include campaign materials on political parties, its associations and voters associations.

Section 14. Price Lists of Broadcasting Time for Announcements (Advertisements) on Meetings with Voters

Electronic mass media, which ensure distribution of announcements (advertisements) in their programmes by reading a previously prepared text on meeting with voters of a political party, association of political parties, voters associations or deputy candidate, shall apply the same price lists which they determine for distribution of other announcements (advertisements). This condition shall apply to cases where only the name of a political party, association of political parties, voters association or a deputy candidate, time and place of the meeting are indicated in the announcement (advertisement). By distributing the announcement (advertisement) it shall be clearly and unambiguously specified which political party, association of political parties, voters association or a deputy candidate has paid for the distribution of this announcement (advertisement). The provisions of Section 11, Paragraphs three, four, five, six and seven of this Law on the notification of price lists of pre-election campaign broadcasting time and placement thereof shall not apply to such announcements (advertisements).

Section 15. Presentation of Facts in News Broadcasts and Direct Reports

The provisions of this Chapter shall not apply to the presentation of facts in news broadcasts and direct reports.

Chapter IV Pre-election Campaign in the Publications

Section 16. Pre-election Campaign in the Publications

(1) Campaigner or its authorized person shall enter into the contract on placement of pre-election campaign materials directly and without mediators only with the publication.

(2) A publication shall send the price lists for placement of a material of pre-election campaign for the entire period of the pre-election campaign, including estimated deductions and criteria for application of deductions, to the Corruption Prevention and Combating Bureau at least 150 days before the election day. If the *Saeima* is dissolved or recalled or a city council or a municipality council is dissolved, or the repeated election is announced, a publication shall send the price lists for placement of a material of pre-election campaign for the entire period of the pre-election campaign, including estimated deductions and criteria for application of deductions, to the Corruption Prevention and Combating Bureau not later than

within three working days from the day of announcing the elections. The Corruption Prevention and Combating Bureau shall publish without delay the abovementioned information on the Website thereof.

(3) A publication is prohibited to place the materials of pre-election campaign for a price that is higher or lower than indicated in the price lists referred to in Paragraph two of this Section. Such price lists may not be amended after publication thereof.

(4) If a publication has not sent the price list for placement of a material of pre-election campaign to the Corruption Prevention and Combating Bureau in compliance with the provisions of this Section and within the time limits provided therein, such publication is prohibited to place the materials of pre-election campaign for payment during the period of the pre-election campaign.

(5) It shall be clearly and unambiguously indicated within the framework of each material of pre-election campaign published in publication that it is a political advertising and which campaigner has paid for such pre-election campaign.

Section 17. Price Lists for Publishing of the Announcements (Advertisements) on Meeting with Voters in the Publications

Publications, which publish pre-election announcements (advertisements) on meeting with voters of a political party, association of political parties, voters association or a deputy candidate, shall apply the same price lists, which they have determined for publishing of other announcements (advertisements). This condition shall apply to cases where only the name of a political party, association of political party, voters association or the given name and surname of a deputy candidate, the time and place of meeting are indicated in the announcement (advertisement). When distributing the announcement (advertisement) it shall be clearly and unambiguously indicated which political party, association of political parties, voters association or deputy candidate has paid for the distribution of the announcement (advertisement). The provisions of Section 16, Paragraphs two, three and four of this Law on notification and placement of pre-election campaign price lists shall not apply to the price lists of such announcements (advertisements).

Chapter V Pre-election Campaign on the Internet

Section 18. Pre-election Campaign on the Internet

(1) Campaigner or authorized person thereof shall enter into the contract on placement of pre-election campaign materials on the Internet directly and without mediators only with the advertising service provider.

(2) At least 150 days prior to the election day an advertising service provider, who offers to place the materials of pre-election campaign on the Internet for payment, shall send the price lists for placement of pre-election campaign materials, including estimated deductions and criteria for application of deductions, for the entire period of pre-election campaign to the Corruption Prevention and Combating Bureau. If the *Saeima* is dissolved or recalled or a city council or a municipality council is dissolved, or the re-election is announced, the advertising service provider shall send to the Corruption Prevention and Combating Bureau the price lists of placement of pre-election campaign materials, including estimated deductions and criteria for application of deductions, for the entire pre-election period not later than within three working days from the date of announcement of the election. The Corruption Prevention and Combating Bureau shall publish the abovementioned information on the website thereof without delay.

(3) An advertising service provider, who offers to place the material of pre-election campaign on the Internet for payment, is prohibited to do it for a price that is higher or lower than indicated in the price lists referred to in Paragraph one of this Section. Such price lists may not be amended after publication thereof.

(4) If the advertising service provider, who offers to place the material of pre-election campaign on the Internet for payment, has not sent the price list for placement of a material of pre-election campaign to the Corruption Prevention and Combating Bureau in compliance with the provisions of this Section and within the time limits provided therein, this advertising service provider is prohibited to place materials of pre-election campaign on the Internet for payment during the period of the pre-election campaign.

(5) When placing the materials of pre-election campaign on the Internet, it shall be clearly and unambiguously indicated within the framework of each material which campaigner has paid for the pre-election campaign.

Section 19. Price Lists for Publishing of the Announcements (Advertisements) on Meeting with Voters on the Internet

An advertising service provider, who offers to place on the Internet for payment the pre-election announcements (advertisements) on meeting with voters of a political party, association of political parties, voters association or a deputy candidate, shall apply the same price lists, which it has determined for publishing of other announcements (advertisements) on the Internet. This condition shall apply to cases where only the name of a political party, association of political parties, voters association or the given name and surname of a deputy candidate name, time and place of the meeting are indicated in the announcement (advertisement). When distributing the announcement (advertisement) it shall be clearly and unambiguously indicated which political party, association of political parties, voters association or a deputy candidate has paid for distribution of the announcement (advertisement). The provisions of Section 18, Paragraph two of this Law on notification and placement of pre-election campaign price lists shall not apply to the price lists of such announcements (advertisements).

Chapter VI

Pre-election Campaigning in Public Places

Section 20. Right to Distribute the Materials of Pre-election Campaign in Public Places

(1) A campaigner has the right for the purposes of pre-election campaign to address voters, distribute leaflets, newspapers and other pre-election campaign materials in public use outdoor area without the co-ordination with the relevant local government or the owner (possessor) of the relevant public use outdoor area. Within the meaning of this Law the public use outdoor area shall be places, squares, parks, streets, roads, bridges, tunnels and other similar places, that regardless of the ownership at the relevant time are publicly available for free or for payment to indefinite number of persons.

(2) A campaigner has the right for the purposes of conducting the pre-election campaign to address voters, distribute leaflets, newspapers other materials of pre-election campaign in public use indoor premises by a prior written agreement with the owner (possessor) of the relevant premises.

Section 21. Use of Tables, Tents and Mobile Shelters for Pre-election Campaign in Public Use Outdoor Area

(1) A campaigner has the right to conduct pre-election campaign in public use outdoor area, regardless of ownership, to place there tables and erect tents and portable shelters, which do not exceed dimensions determined by the local government, by informing in writing the relevant local government at least three days in advance, as well as by co-ordinating it in writing with the owner (possessor) of the relevant place. If the only owner or all co-owners of the relevant place are State authority or authority of derived public persons or a capital company in which more than 50 per cent of capital shares (stocks) belong to the State or derived public person, the co-ordination with the owner (possessor) is not required.

(2) A local government, which has received a written notification by the campaigner referred to in Paragraph one of this Section on placing of tables, erecting of tents or movable shelters for conducting the pre-election campaign, upon a request by the campaigner, shall provide information on who is the owner (possessor) of the relevant site.

(3) At least 120 days prior to an election day local governments may determine the public use outdoor area, where tables may not be placed and tents and portable shelters may not be erected and the time when tables may not be placed and tents and portable shelters may not be erected. During 120-day period prior to the election local governments may determine additional restrictions only in relation to previously unforeseen events.

(4) The provisions of Paragraph one of this Section shall not apply to cases where the tables placed and tents and portable shelters erected themselves are used as election campaign material. In such cases, the provisions of Section 22 of this Law shall apply.

(5) The provisions of this Section shall not apply if the campaigner organizes a public entertainment and festive event, the occurrence of which is governed by the Public Entertainment and Festive Events Security Law, or organizes a meeting, procession or picket in conformity with the Law On Meetings, Processions and Pickets.

Section 22. Placement of Pre-election Campaign Materials in Public Places

(1) Issues relating to the placement of materials of pre-election campaign in the public use outdoor area or in front of the public use outdoor area (signs, stands, posters, boards, mobile billboards, placed placards, advertising on window displays and other similar advertising objects) are governed by the laws and regulations on placement of advertising.

(2) It shall be clearly and unambiguously indicated within the framework of each material of pre-election campaign which campaigner has paid for the pre-election campaign.

Section 23. Prohibition to Create Advantages

(1) The State and authorities of derived public persons, as well as capital companies, in which more than 50 per cent of capital shares (stocks) belong to the State or derived public person, are prohibited to create advantages or disadvantages to a campaigner in placement of materials of pre-election campaign in public places.

(2) If a State authority or an authority of derived public person or capital company, in which more than 50 per cent of capital shares (stocks) belong to the State or derived public person, grants the right to the campaigner to place materials of pre-election campaign in places where it is not prohibited to place them in accordance with this Law or other laws, this authority or the capital company has an obligation to provide an opportunity to acquire such right under the same conditions also to other campaigners upon their wish.

Chapter VII
**Ancillary Provisions for Pre-election Campaign in State Authorities and Authorities of
Derived Public Persons and Capital Companies in which More than 50 Per Cent of
Capital Shares (Stocks) Belong to the State or Derived Public Persons and the Ensuring
of Equal Treatment**

**Section 24. Prohibition to Place and Distribute the Materials of Pre-election Campaign
in State Authorities and Authorities of Derived Public Persons and
Capital Companies in which More than 50 Per Cent of Capital Shares
(Stocks) Belong to the State or Derived Public Persons**

(1) It is prohibited to place and distribute the materials of pre-election campaign in the premises of the buildings where State authorities and authorities of derived public persons and capital companies, in which more than 50 per cent of capital shares (stocks) belong to the State or derived public persons, are located, as well as in the shared-use facilities of such buildings.

(2) This restriction shall not apply to the materials of informative nature by the Central Election Commission on the elections of the *Saeima*, elections to the European Parliament and the elections of local governments, as well as to the cases referred to in Section 25 of this Law.

Section 25. Granting of Premises to the Campaigner to Organise Meetings with Voters

State authorities and authorities of derived public persons and capital companies, in which more than 50 per cent of capital shares (stocks) belong to the State or derived public persons, may grant premises to the campaigner where to organise meetings with voters free of charge or for payment which does not exceed the actual maintenance expenses of such premises.

**Section 26. Equal Treatment with Regard to the Use of Property or Resource in State
Authorities and Authorities of Derived Public Persons and Capital
Companies in which More than 50 Per Cent of Capital Shares (Stocks)
Belong to the State or Derived Public Persons**

If a State authority or an authority of derived public persons or a capital company in which more than 50 percent of capital shares (stocks) belong to the State or derived public persons has granted premises or other property or resource transferred under the possession thereof for a pre-election campaign to a campaigner, it has an obligation to provide other campaigners with an opportunity to use such property or resource on the same conditions upon their wish.

Chapter VIII
Record-keeping of Pre-election Campaign

Section 27. Record-keeping of Pre-election Campaign and Expenses Thereof

(1) Electronic mass media, publications, as well as persons which have reached an agreement with a campaigner on the placement of materials of pre-election campaign for payment in public places (regardless of ownership), on the Internet (except for the website of the campaigner) or on provision of postal (including electronic mail) services to send materials of pre-election campaign, shall maintain records of the pre-election campaign (pre-election expenses), identifying each campaigner or recipient of post services, amount of resources

obtained for placement of the relevant material of pre-election campaign or the postal service, as well as persons who have entered into the relevant contract on behalf of a campaigner (commissioner).

(2) Electronic mass media, publications, as well as persons, which have reached an agreement with a campaigner on the placement of materials of pre-election campaign for payment in public places (regardless of ownership), on the Internet (except for the website of the campaigner) or on provision of postal (including electronic mail) services to send materials of pre-election campaign, shall send a notification to the Corruption Prevention and Combating Bureau on the placement of the materials of pre-election campaign or provision of postal services not later than within three working days after entering into the contract or making amendments to the contract entered into.

(3) A campaigner which has reached an agreement with an electronic mass medium, publication, as well as persons on the placement of materials of pre-election campaign for payment in public places (regardless of ownership), on the Internet (except for the website of the campaigner) or on the provision of postal (including electronic mail) services to send materials of pre-election campaign, shall send a notification to the Corruption Prevention and Combating Bureau on the estimated placement of the pre-election campaign materials or provision of postal services not later than within three working days after entering into the contract or making amendments to the contract entered into.

(4) The following shall be indicated in the notification referred to Paragraphs two and three of this Section:

1) the date and number of the contract;

2) information on contracting parties:

a) the name, registration number and registered address of the entity placing the material of pre-election campaign (service provider) – legal person

b) the given name, surname, personal identity number (if there is none, – the date of birth, personal identification document number and date of issue, country and authority that has issued the document) and the address of the declared place of residence of the person placing the material of pre-election campaign (service provider) – natural person,

c) the name, registration number and registered address of the entity placing the material of pre-election campaign (service provider) – registered association of legal persons or natural persons,

d) the name, registration number and legal address of the campaigner (commissioning party) – legal persons, including political parties, associations of political parties,

e) the given name, surname, personal identity number (if there is none, – the date of birth, personal identification document number and date of issue, country and authority that has issued the document) and the address of the declared place of residence of the campaigner (commissioning party) – natural person,

f) the name, registration number and registered address of the campaigner (commissioning party) – registered association of legal persons or natural persons,

g) the given name, surname, personal identity number (if there is none, – the date of birth, personal identification document number and date of issue, country and authority that has issued the document) and the address of the declared place of residence or name, registration number and registered address of the person which entered into the contract on behalf of the campaigner (commissioning party);

3) information on the placement of materials of pre-election campaign (if the contract is on the placement of pre-election campaign materials):

a) the date, broadcasting time and duration of the placement of each of the pre-election campaign material, if the pre-election campaign material is placed in a broadcast or programme of the electronic mass medium,

- b) the date, size of the placement of each of the pre-election campaign material, if the pre-election campaign material is placed in a publication,
 - c) the date, place and size of the placement and removal of each of the material of pre-election campaign, if the material of pre-election campaign is placed in a public place,
 - d) the time, place and size, of the placement, as well as the time of removal of each of the material of pre-election campaign, if the material of pre-election campaign is placed on the Internet;
- 4) the time and scope of the provision of postal services (if the contract is on the provision of postal services);
 - 5) the contract sum (with the value added tax);
 - 6) the deductions applied and justification thereof, as well as the contract sum (with the value added tax), which would have been effected in case if deductions were not applied;
 - 7) the procedures and terms for payment of contract sum;
 - 8) other information which is considered essential by the entity placing the material of pre-election campaign (service provider).
- (5) The Corruption Prevention and Combating Bureau in accordance with the procedures laid down in laws and regulations, shall purchase information (records) on the pre-election campaign in the mass media, on the Internet and in public areas.
- (6) A political organisation, an association of political organisations, a deputy candidate or an unrelated person shall send a notification on the pre-election expenses to the Corruption Prevention and Combating Bureau, in which the date, place and amount of expenses or the benefit disbursed and amount, date and beneficiary of a gift (donation) are indicated, not later than within three working days after the financing or sponsoring of a charity event or performing benefit or gift (donation).

Chapter IX

Control of Pre-election Campaign

Section 28. Warning on Exceeding the Limits of Pre-election Expenses

If during the period of pre-election campaign the Corruption Prevention and Combating Bureau determines that a political party or association of political parties have entered into contracts on sum which exceeds the amount of expenses admissible for the conduction of pre-election laid down in the Law On Financing of Political Organisations (Parties) or an unrelated person has entered into contracts on the sum which exceeds the amount of expenses referred to in Section 5, Paragraph two of this Law, however, the former pre-election campaign has not been conducted for a sum exceeding the admissible amount of pre-election expenses laid down in the Law On Financing of Political Organisations (Parties) or the amount of expenses referred to in Section 5, Paragraph two of this Law, the head of the Corruption Prevention and Combating Bureau shall inform the relevant campaigner on this infringement. Rectification of infringement shall not release the campaigner from the responsibility laid down by the law.

Section 29. Decision on the Prohibition to Conduct Further Pre-election Campaign

(1) If during a period of pre-election campaign the Corruption Prevention and Combating Bureau determines that a political party or an association of political parties has conducted pre-election campaign for a sum exceeding the admissible amount of pre-election expenses laid down in the Law On Financing of Political Organisations (Parties) or an unrelated person has conducted campaign for a sum exceeding the amount of expenses referred to in Section 5,

Paragraph two of this Law, the head of the Corruption Prevention and Combating Bureau shall take a decision regarding prohibition to conduct further pre-election campaign for a fee.

(2) The Corruption Prevention and Combating Bureau shall publish without delay the information on taking, revocation or amending of the decision referred to Paragraph one of this Section on the website thereof.

(3) The decision referred to in Paragraph one of this Section may be appealed to the Administrative District Court. Lodging of an application to the court does not suspend the operation of the decision.

(4) The court shall examine the cases referred to in Paragraph three of this Section within three working days from the receipt of the application in accordance with the procedures laid down in the Administrative Procedure Law. The burden of proof shall lie with the participants of the administrative proceedings. If the law determines a time limit for execution of any procedural step, however, the conditions referred to in this Paragraph would not be complied with in executing the relevant procedural step within the time limit laid down in the law, the judge (court) himself or herself shall determine a relevant time limit for execution of the relevant procedural step.

(5) A judgment of the Administrative District Court, which has been taken on the issues referred to in Paragraph one of this Section, shall be executed without delay. If the court passes the abbreviated judgment, it shall announce the judgment in the court sitting.

(6) The Corruption Prevention and Combating Bureau shall publish without delay the information on court judgment in accordance with the procedures laid down in Paragraph two of this Section.

Section 30. Decision on the Prohibition of Electronic Mass Media and Publications to Place the Materials of Pre-election Campaign

(1) If under the conditions referred to in Section 29, Paragraph one of this Law the Corruption Prevention and Combating Bureau determines that further pre-election campaign by a relevant campaigner is intended in certain electronic mass media programmes or publications, or in public places, the head of the Corruption Prevention and Combating Bureau in conformity with the requirements of Paragraph two of this Section shall take a decision on prohibiting the relevant electronic mass media or the publications, or the persons who place the materials of pre-election campaign in public places, to place such materials of pre-election campaign.

(2) To take the decision referred to in Paragraph one of this Section, the Corruption Prevention and Combating Bureau, in accordance with the procedures laid down in laws and regulations, shall hear an opinion of the relevant electronic mass medium or publication in the particular case, evaluate the usefulness of the relevant decision, the feasibility of execution, as well as the proportionality of the decision.

(3) The decision referred to in Paragraph one of this Section may be appealed to the Administrative District Court. Lodging of an application to the court does not suspend the operation of the decision. The decision shall be examined in accordance with the requirements Section 29, Paragraph four of this Law.

(4) If the decision referred to in Section 29, Paragraph one of this Law is repealed, the decision referred to in Paragraph one of this Section shall cease to be in effect. The Corruption Prevention and Combating Bureau shall inform without delay the relevant electronic mass medium or publication thereof.

(5) Taking of the decision referred to in Paragraph one of this Section shall not impose an obligation for an electronic mass medium or publication to compensate the campaigner the expenses related to non-placement of the campaign materials.

Section 31. Consequences of Noncompliance with the Amount Limits of Pre-election Expenses

- (1) The campaigner shall bear liability laid down in the law for non-compliance with the amount limits of pre-election campaign expenses (pre-election expenses).
- (2) If the Corruption Prevention and Combating Bureau finds out an infringement of the provisions of Section 5, Paragraph two of this Law the head of the Corruption Prevention and Combating Bureau has an obligation after the end of the period of pre-election campaign to assign the unrelated person to transfer financial resources into the State budget in such amount that conforms to the amount exceeding the limits of pre-election campaign expenses within 30 days. Upon request of the relevant person the head of the Corruption Prevention and Combating Bureau may divide the transfer of financial resources in time limits not exceeding 90 days in total.
- (3) Issues related to the obligation by political parties and their associations to transfer financial resources into the State budget in the case of exceeding the amount limits of pre-election expenses are governed by the Law On Financing of Political Organisations (Parties).
- (4) The head of the Corruption Prevention and Combating Bureau may take decisions referred to in Paragraph two of this Section on transferring of financial resources into the State budget not later than within four years from the date of the commitment of the infringement.

Chapter X Other Restrictions Related to Pre-election Campaign

Section 32. Prohibition of the Placement of Materials of Pre-election Campaign

- (1) On the election day, and the day before the election day, the placement of materials of pre-election campaign in electronic mass media radio programmes and broadcasts, public use outdoor areas and indoor premises, publications, on the Internet and authorities and capital companies referred to in Section 25 of this Law is prohibited, with the exception of placement of such announcements (advertisements) referred to in Sections 14, 17 and 19 of this Law, which provide information on meeting of a political party, association of political parties, voters association or deputy candidate with voters.
- (2) On the election day, as well as 30 days prior to the election day, the placement of materials of pre-election campaign in radio programmes and broadcasts of an electronic mass medium with the exception of the case referred to in Paragraph one of this Section, as well as in cases, where according to the provisions of Chapter II of this Law, the right to the State ensured free of charge broadcasting time is used or a participation in pre-election broadcasts in television programmes of an electronic mass medium is ensured within the framework of the public remit.
- (3) Within the meaning of this Section discussion programmes produced by electronic mass media shall not be considered as placement of materials of pre-election campaign, if a payment for the production and distribution of such programmes is not received from the campaigner.
- (4) Within the meaning of Paragraph one of this Section the campaigner's office area is not considered as public use indoor premises.

[13 December 2012]

Section 33. Prohibition of the Use of Administrative Resources

- (1) Use of administrative resources in pre-election campaign is prohibited.
- (2) Within the meaning of this Section the use of administrative resources shall be considered use of financial resources, movable and immovable property or provision of services of a State authority and an authority of derived public persons and capital companies, in which the capital shares (stocks) belong to the State or derived public persons, as well as of the capital companies, in which capital shares (stocks) owned by one or more State capital companies or capital companies of derived public persons individually or in aggregate exceed 50 per cent, for conduction of pre-election campaign, as well as advertising of these authorities for payment within the period of 30 days before the elections, if the relevant advertisement with regard to its content is related to reflecting of a deputy candidate, political party, association of political parties, as well as candidates for the post of the Prime Minister or a Minister nominated by a administrative bodies of a political party or association political parties, or reflecting a person related to a political party or an association of political parties or reflecting of activities by such a candidate or person.
- (3) As the use of administrative resources is not considered the granting of premises for conduction of pre-election campaign, if the provisions of Chapter VII of this Law are complied with, as well as the use of the resources which are used to provide the State protection (security) to senior State officials to whom it shall be provided in accordance with laws and regulations in so far as the use of resources is needed to provide protection (security) for the relevant State officials.
- (4) Within the meaning of Paragraph two of this Section a person related to a political party or association of political parties shall be an official, a member of the political party or association of political parties, or such person who during the last 18 months before the elections has had business relations with the relevant political party or association of political parties in relation to the provision of services to that political party or association of political parties, by planning, preparing or organising the election campaign, or such person who within the last 18 months before the elections has been a an employee, official or a member of the political party or political association.
- (5) Placement of materials of pre-election campaign is prohibited in publications issued by a State authority or an authority of derived public persons or capital companies in which capital shares (stocks) belong to the State or derived public persons, as well as the capital companies, in which capital shares (stocks) owned by one or more State capital companies or capital companies of derived public persons individually or in aggregate exceed 50 per cent.
- (6) Placement of interviews with deputy candidates or candidates for the post of the Prime Minister or a Minister, nominated by administrative bodies of a political party or association political parties, as well as to place such articles in which it is indicated that the person mentioned in it is a deputy candidate for the post of the Prime Minister or a Minister nominated by administrative bodies of a political party or association of political parties, is prohibited on election day, as well as 30 days prior to the election day in publications issued by a State authority or an authority of derived public persons or capital companies, in which the capital shares (stocks) owned by one or more State capital companies or capital companies of derived public persons individually or in aggregate exceed 50 per cent.
- (7) The execution of restrictions referred to in this Section shall be controlled by the Corruption Prevention and Combating Bureau.

Section 34. Liability for Non-compliance with the Restrictions on the Use of Administrative Resources

(1) Officials or employees of State authorities or authorities of derived public persons or capital companies, in which capital shares (stocks) belong to the State or a derived public person, as well as of capital companies in which capital shares (stocks), owned by one or more State capital companies or capital companies of derived public persons individually or in aggregate exceed 50 per cent, who have used the financial resources or property of the relevant authorities unlawfully, by violating the restrictions on the use of administrative resources laid down in this Law, shall bear liability laid down by the law for the non-compliance with the restrictions on the use administrative resources in pre-election campaign.

(2) The financial resources and property used unlawfully by violating the restrictions on the use of administrative resources in pre-election campaign laid down in this Law shall be under the jurisdiction of the State, by presuming that by violating the restrictions on the use of administrative resources determined by the State, the official or employee has caused such harm to the State administrative order as is to be evaluated in financial terms and corresponds to the value of financial resources or property used in a prohibited manner.

(3) In accordance with the provisions of this Section officials or employees referred to in this Section have an obligation to reimburse the losses incurred.

(4) The Corruption Prevention and Combating Bureau shall demand the reimbursement of the losses in accordance with the Administrative Procedure Law by issuing administrative act on reimbursement of losses incurred and conducting activities for the execution of the administrative act as set out in the laws and regulations. The execution thereof shall be ensured through the bailiff.(5) The recovery of losses from officials or employees shall be carried out irrespective of whether the relevant officials or employees are brought to administrative liability for the infringement of the provisions of this Law.

Transitional Provisions

[13 December 2012]

1. With the coming into force of this Law, the Law On Pre-election Campaign Before the *Saeima* Elections and Elections to the European Parliament (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1995, No. 18, 1998, No. 21; 2002, No. 16; 2004, No. 7; 2005, No. 20; 2009, No. 5; *Latvijas Vēstnesis*, 2010, No. 91; 2011, No. 144) and the Law On Pre-election Campaign Before the Local Government Elections (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 8; 2002, No. 6; 2005, No. 20; 2009, No. 5) are repealed.

[13 December 2012]

2. With regard to the elections of local governments intended on 1 June 2013 the provisions referred to in Section 11, Paragraph three, Section 16, Paragraph two and Section 18, Paragraph two of this Law shall be considered fulfilled, if the electronic mass medium, the publication and the advertising service provider, which offers to place the materials of pre-election campaign on the Internet for payment, have sent the relevant price lists of the pre-election campaign broadcasting time or the price lists of the placement of the materials of pre-election campaign for the entire period of pre-election campaign to the National Electronic Mass Media Council or to the Corruption Prevention and Combating Bureau in conformity with the provisions of this Law for publication at least 135 days before the day of the abovementioned elections.

[13 December 2012]

3. To ensure fulfilment of the provision included in the first sentence of Section 10, Paragraph three of this Law, the redivision of resources shall be carried out in accordance with the procedures laid down in laws and regulations from the programme 02.00.00 "Funds for Unseen Events" of the Department 74 "Financing to Be Redivided During the Implementation Process of the Annual State Budget" of the State budget.

[13 December 2012]

This Law shall come into force on 1 January 2013.

This Law has been adopted by the *Saeima* on 29 November 2012.

President

A.Bērziņš

Riga, 19 December 2012