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Security of electoral materials

The documents, which are of cardinal importance for proper performance of the elections and polling of the results are in particular electoral rolls and ballot papers.

In virtue of Polish electoral legislation, electoral roll is a legal document by which the right of a citizen to vote is evidenced, while his or her name showing in the roll is required to poll. Electoral rolls are prepared specifically for each election. Committed to the work are local community administration who take responsibility for the roll being true and correct. Electoral roll must be completed not later than 14 days before the election date. Electoral roll is kept in the office of local commune administration by whom it has been prepared. Electoral roll is subject to update procedure by adding the names of new voters and/or deleting the names of persons either deprived of their voting rights, or having changed their residential address, or whose names have been added to the roll at another place.

One of the documents security elements is that the electoral roll is made up in two identical copies to be kept one by the Chairman of precinct election committee (one day before elections), and another one in the Local Community Administration Office.

In virtue of electoral laws everybody is entitled to read the electoral roll. Local Chief Officer, or Mayor is obliged to publicly announce the electoral roll complete and indicate the place where and when it would be available to see. The electoral roll should be made available to read in the Local Community Administration Office on request in writing. The request can be made in order to check whether or not a specific person, whose personal data must be indicated in the request form, appears in the electoral roll. However, electoral roll may not be made available to read through as a whole nor to make a copy. For electoral rolls contain personal data of the voters listed in, including name, family name, father's name, date of birth, PESEL national index number and home address. In virtue of Polish legislation these data are, are subject to legal protection as required in the statute on protection of personal data by which every citizen has the right to have his or her personal data, including any information providing for identification of a person, protected by law. Thus, the only reply, a person applying a request to read the electoral roll can expect, is either yes, this person appears, or no it does not appear in the electoral roll.

Responsible for secure maintenance of the electoral roll is Chief Officer (Mayor) in charge of the place. On the day before the elections the electoral roll is delivered on receipt to the Chairman of precinct election committee. Starting from this moment secure maintenance of the electoral roll is to responsibility of the Chairman of precinct election committee. Also, starting from this moment electoral roll is kept in the office of precinct election committee.

Election committees have no right to make any additions nor changes in the electoral roll as received. Should any voter prove, that his or her name had been omitted in the electoral roll, the election committee will enroll this person's name in additional electoral roll form, having first obtained confirmation of the Local Community Administration officers, that this person should appear in electoral roll. Number of persons listed in electoral roll plus persons enrolled additionally by the election committee on the voting day must be indicated in the Ballot Record. Also, this number is checked against the number of ballot papers dispensed to the voters.

Once the ballot is closed, the precinct election committee must deliver electoral roll under official record to Chief Officer (Mayor) in charge of the place together with other electoral documents for keeping safe. Starting from this moment electoral roll might be made available exclusively on request of Courts for election petition proceedings, or on request of Courts, or Public Prosecutor's Office, or Police for criminal proceedings.

Other electoral documents subject to particular protection are ballot papers. Applicable ballot papers are the officially approved voting papers, bearing a seal of respective precinct election committee; these papers are printed to the orders issued by respective election committee (or in case of elections for the President of Polish Republic – by National Electoral Commission, or in case of elections for Members of Polish Parliament Sejm or Senate or for Members of European Parliament – by district election committee, or in case of local elections – by local election committee). Ballot papers are printed under specific procedure established by the National Electoral Commission. Particular attention is drawn to correct contents of ballot papers, their artistic appearance, color of paper used, et c. The printing process is controlled by respective election committees, who are responsible for its proper performance. All the procedure for printing and maintenance of ballot papers until voting day and handling them to polling stations is, as already mentioned, carried out under unobtrusive supervision of Police in communication with the respective election committee. Once printed, the ballot papers are delivered in packages duly marked with proper descriptions indicating destination precinct and number of papers contained in a package to respective Chief Officers (Mayors). According to directions of National Electoral Commission, the ballot papers must be kept in a specially appointed separate room.

Not later, than one day before the voting date, ballot papers must be delivered under official record to respective precinct election committee. Official record of delivery must indicate the number of ballot papers actually delivered.

On voting day the ballot papers must be counted by the precinct election committee with the resulting number to be indicated in the official Ballot Record.

Once the election voting procedure is closed, the precinct election committee must draw an official Ballot Record, where the results of detailed counting of the ballot papers must be shown. These results must cover the number of ballot papers received, the number of blank ballot papers and the number of ballot papers drawn from ballot box. Should blank ballot

papers and ballot papers drawn from ballot box make in total a number different from the number of ballot papers received by the election committee, the reason of this inconsistency should be suggested by the election committee in the official Ballot Record. This procedure is applicable the same whether the total of blank ballot papers and ballot papers drawn from ballot box is bigger or smaller than the number of ballot papers received by the election committee.

Once the ballot is declared closed, the precinct election committee must collect the ballot papers by kind in separate packages duly marked with proper descriptions, containing the blank ballot papers, the null and void ballot papers the valid ballot papers respectively. The collected ballot papers are then delivered together with other electoral documents to Chief Officer (Mayor) in charge of the place for keeping safe, which, same as the electoral roll, might be made available exclusively on request of Courts, or Public Prosecutor's Office, or Police for criminal proceedings

As soon as the Supreme Court and the competent courts announce their legally valid judicial decisions in the cases related to elections for President of Polish Republic, for members of Sejm, of Senate, of European Parliament and in the cases related to elections for members of Local Community Councils or District Administration Councils and for members of Regional Councils as well as for the Chief Officers or Mayors respectively, both electoral rolls and ballot papers are subject to official destruction under recorded procedure.

It is due to the electoral documents handling rules, which are specified in the election statutes and duly described in detail in executive acts, that practically no election petitions nor public reproach on the trustworthiness of the electoral rolls or ballot papers occur.

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