



Warsaw, February 7, 2024

**NATIONAL
ELECTORAL
COMMISSION**

ZPOW.501.9.2024

**Information of the National Electoral Commission
on the conditions of participation of European Union citizens who are not
Polish citizens and citizens of the United Kingdom of Great Britain and
Northern Ireland in the elections to municipal councils and for heads of
communes, mayors, and city presidents scheduled for April 7, 2024.**

European Union citizens who are not Polish citizens and citizens of the United Kingdom of Great Britain and Northern Ireland can vote and stand as candidates in the elections to municipal councils and vote in the elections for heads of communes, mayors, and city presidents scheduled for April 7, 2024, provided that they are listed in the permanent polling district in the Central Register of Voters.

I. The inclusion in the permanent polling district in the Central Register of Voters

1. An inclusion of a European Union citizen who is not a Polish citizen and a citizen of the United Kingdom of Great Britain and Northern Ireland in the permanent polling district in the Central Register of Voters is based on the voter's application submitted to the municipal office appropriate for their place of permanent residence.

An application must include:

- surname and first names,
- Citizenship,
- passport number or another document confirming the applicant's identity
- PESEL number,
- a declaration of the address of permanent residence.

The voter can include in the application an email address or mobile phone number and information that they consent to the transfer of data to the register of contact details of individuals

If at the time of application the voter **does not have a PESEL** number, for its assignment the application must also include:

- gender,
- foreigner status, i.e., EU for a European Union citizen or NON-EU for a citizen of the United Kingdom of Great Britain and Northern Ireland

and, if available:

- parents' birth names and surnames,
- parents' PESEL numbers, if assigned,
- date of birth,
- place of birth,
- marital status,
- details of the birth certificate and the civil registry office where it was issued,
- spouse's birth name and surname and PESEL number, if assigned
- depending on the circumstances, the date of marriage, details of the marriage certificate and the civil registry office where it was issued, date of divorce, case number and designation of the court that dissolved the marriage, case number and designation of the court that determined the non-existence of the marriage, case number and designation of the court that annulled the marriage, date of spouse's death or the date their body was found, details of their death certificate and the civil registry office where it was issued.

An application can be submitted in writing in the form of:

- 1) paper, signed by hand;
- 2) electronic, signed with a qualified electronic signature, a trusted signature, or a personal signature, using the service on the gov.pl website.

Documents not drafted in Polish are submitted together with a Polish translation made by a sworn translator. This also applies to other documents submitted by European Union citizens who are not Polish citizens and citizens of the United Kingdom of Great Britain and Northern Ireland.

2. The regulations do not specify the deadline by which the application to be included in the register of voters must be submitted for the voter to participate in the elections. However,

it should be noted that a head of commune (mayor, city president) has 5 days to consider the application.

3. Before issuing a decision on including the voter in the permanent polling district, a head of commune is required to verify whether the applicant permanently resides at the address indicated in the application. II. Active electoral right (right to vote) and passive electoral right (eligibility to be elected)

II. Active electoral right (right to vote) and passive electoral right (eligibility to be elected)

1. **The active electoral right, i.e., the right to vote** (right to choose) in the elections to the municipal council and the elections for a head of commune (mayor, city president) belongs to a European Union citizen who is not a Polish citizen and a citizen of the United Kingdom of Great Britain and Northern Ireland, who:
 - will be 18 years of age by the day of voting,
 - permanently resides and is listed in the permanent polling district in the Central Register of Voters in the area of the particular local government unit
 - has not been deprived of public rights by a final court decision,
 - has not been deprived of electoral rights by a final decision of the State Tribunal,
 - has not been incapacitated by a final court decision (Article 10 § 1 points 3 and 4, and § 2 of the Electoral Code).

This also applies to the right to participate in the voting in the district council elections of the capital city of Warsaw

European Union citizens who are not Polish citizens and citizens of the United Kingdom of Great Britain and Northern Ireland do not have the active electoral right in the elections to the county council and the voivodeship assembly.

2. **The passive electoral right, i.e., the right to stand as a candidate** (eligibility to be elected) in the elections to the municipal council is held by a European Union citizen who is not a Polish citizen and a citizen of the United Kingdom of Great Britain and Northern Ireland who has the right to vote in the elections to the particular council.

A candidate for the council does not need to permanently reside in the electoral district in which he or she is running

The right to be elected is not held by a person:

- convicted by a final verdict to imprisonment for an intentional crime prosecuted by public accusation or an intentional fiscal offense, *A person against whom such a verdict has been issued does not have the passive electoral right, i.e., cannot stand as a candidate in the elections to the municipal council during the period when they are recorded in the National Criminal Register*
- deprived of the right to be elected in the respective European Union member state of which he or she is a citizen or in the United Kingdom of Great Britain and Northern Ireland (Article 11 § 1 point 5, § 2 point 1, and § 3 of the Electoral Code).

This also applies to the right to be elected in the district council elections of the capital city of Warsaw.

European Union citizens who are not Polish citizens and citizens of the United Kingdom of Great Britain and Northern Ireland do not have the passive electoral right in the elections to the county council and voivodeship assembly and the elections for a head of commune (mayor, city president).

III. Conditions of participation in voting

Voting in the elections to municipal councils and for heads of communes, mayors, and city presidents take place exclusively on the territory of the Republic of Poland. Voters vote in the polling district appropriate for their place of permanent residence (listed in the permanent polling district in the Central Register of Voters), except for those staying in medical facilities, social welfare establishments, penal institutions, and places of remand.

1. Voting at the place of permanent residence

A voter listed in the permanent polling district in the Central Register of Voters, upon his or her own request, will be in the electoral roll in the polling district appropriate for the address at which he or she request listed in the permanent polling district in the Central Register of Voters.

2. **Voting outside the place of permanent residence**

- **Voters who will be staying on the day of the elections in medical facilities, social welfare establishments, penal institutions, and places of remand located within the voivodeship in which the municipality where they are listed in the permanent polling district in the Central Register of Voters is situated will be entered into the electoral rolls prepared for the polling districts established in these units and will be able to vote in these districts.**

Voters permanently residing in the capital city of Warsaw, who will be staying in the above-mentioned unit located:

- **within the district** where they are listed in the permanent polling district in the Central Register of Voters – will receive ballots for the elections to that district council, the Council of the capital city of Warsaw, and the elections for the President of the capital city of Warsaw,
- **within a different district than the one** where they are listed in the permanent polling district in the Central Register of Voters – will receive ballots for the elections to the Council of the capital city of Warsaw and the elections for the President of the capital city of Warsaw.

Voters listed in the electoral rolls in the aforementioned units **will be automatically removed** from the roll at their place of permanent residence.

On the day of the elections, the district electoral commissions add to the electoral roll only those voters who

- were omitted from the electoral roll, if the municipal office confirms that the omission in the roll is the result of a mistake,
- were removed from the electoral roll for the particular polling district due to being entered into the electoral roll in a medical facilities, social welfare establishments, penal institution, or places of remand, **if they document** that they left the facility before the day of the elections,

- wish to vote in the polling district established in a medical, social welfare establishments, penal institution, or places of remand, and arrived at this unit before the day of the elections.

Chairman of the
National Electoral Commission

Sylwester Marciniak

(document signed electronically)