

Local Government Elections Act, No. 5/1998, with subsequent amendments

CHAPTER I

Election day

Article 1

General municipal elections shall take place on the last Saturday in May which is not a Saturday before Whitsun.

The Ministry of Justice shall advertise when general regular municipal elections shall take place.

The electoral term of municipal councils is four years.

CHAPTER II

Voting rights and eligibility to stand for election

Article 2

Every Icelandic national who has reached the age of 18 years when an election takes place and who is legally domiciled in the municipality is entitled to vote in municipal elections. Where the provisions of Article 9 of the Act on Legal Domicile, No. 21/1990, apply to an individual's situation, he/she is not deemed to be disenfranchised despite having notified a change of residence in accordance with the Nordic Agreement on National Registration, provided the requirements of the first paragraph are satisfied in other respects.

Furthermore, Danish, Finnish, Norwegian and Swedish nationals, who have been legally domiciled in Iceland without interruption for a continuous three-year period preceding election day, [and other foreign nationals who have been legally domiciled in Iceland for a continuous five-year period preceding election day,]¹⁾ shall be entitled to vote, provided they satisfy in other respects the requirements of the first paragraph.

¹⁾ *Act No. 27/2002, Art. 1.*

Article 3

Any person who is eligible to vote in a municipality, as provided for in Article 2, and who has not been deprived of legal competence shall be eligible to stand for election to a municipal council.

CHAPTER III

Register of electors

Article 4

Municipal councils shall compile registers of electors for municipal elections based on the core registers of electors provided to them by [The National Registry.]¹⁾

¹⁾ *Act No. 50/2006, Article 18.*

Article 5

Persons satisfying the requirements of Article 2, who were registered as legally domiciled in the municipality in accordance with the residents' register of the National Registry three weeks before election day, shall be entered into the register of electors.

Article 6

The register of electors shall be kept on forms provided by [The National Registry]¹⁾ for the purpose, following precisely the directions which it has printed on them.

¹⁾ *Act No. 50/2006, Article 18.*

Article 7

Once the register of electors has been compiled [...] it must be signed by the leader of the municipal council or the municipal administrator.

¹⁾ *Act No. 27/2002, Art. 2.*

Article 8

The Ministry of Justice must, no later than 12 days prior to election day, broadcast on the radio and publish in daily newspapers an advertisement concerning the presentation of registers of electors for inspection. The advertisement must indicate where objections shall be submitted and the time limit for objections.

Article 9

A register of electors must be available for public inspection at the offices of the municipal council or other suitable location no later than ten days prior to election day.

A municipal council must advertise where the register of electors is available at each location in the manner customary there for publishing official notices.

Once the register of electors has been presented it shall be available to the public during normal office working hours until election day. A certified copy of the register of electors may be used as the one made available to the public.

Article 10

A municipal council must immediately examine any objections it receives concerning the register of electors and make appropriate corrections to it. Such corrections may be made up until the day of the election.

A register of electors may not be altered if notification of a new legal domicile has not reached the National Registry prior to the time stipulated in Article 5.

Furthermore, a municipal council shall correct a register of electors up until the day of the election if it receives information of a death or that a person has acquired or, as the case may be, been deprived of Icelandic [...] nationality.

ⁿ⁾ Act No. 27/2002, Art. 3.

Article 11

A municipal council must immediately notify the person concerned of corrections to the register of electors as provided for in Article 10 as well as any municipality which may be affected.

A municipal council must, in addition, notify the election board concerned of corrections to the register of electors.

Article 12

In the event that a register of electors has not been compiled or presented within the prescribed time limit, or the provisions of this Act have not been complied with in this respect, the District Commissioner shall, immediately upon becoming aware of such, take the necessary measures to have the register compiled without delay and rectify any failure to comply with the law.

CHAPTER IV

Polling sections

Article 13

Each municipality shall be one polling section, unless the municipal council has decided to divide it into more than one polling section.

Polling sections shall as a rule be identified by their polling station or numbered to distinguish them from each other.

CHAPTER V

Election boards and election preparations

Article 14

Each newly elected municipal council shall elect, when first convened, a presiding election board for a four-year term. Presiding election boards must at all times be prepared to present themselves without prior notice at meetings on election day to take decisions and rule on election issues if necessary.

In municipalities divided into several polling sections, as many subordinate election

boards shall be elected as there are polling sections. Where more than one polling section is served by a single polling station, a district election board shall be elected to supervise election activities at the polling station on behalf of the presiding election board.

Subordinate and district election boards may be elected at a later date than that provided for in the first paragraph.

Each election board shall be comprised of three regular members and three alternates, all of whom must be entitled to vote in the municipality. An election board shall choose its own chairman and secretary from among its members.

In carrying out their duties, election boards make decisions independent of the authority of the municipal council.

In a municipality which is not divided into a number of polling sections a single election board shall serve as the presiding and subordinate election board.

A municipal council may decide that the same election board shall direct municipal and Alpingi (national parliamentary) elections.

[A presiding election board must, with sufficient notice prior to elections, advertise its seat, where it can receive lists of candidates and where it will be present while the elections take place.]¹⁾

¹⁾Act No. 27/2002, Art. 4.

Article 15

All election boards must keep records of their actions and record actions taken.

The presiding election boards shall record the receipt of candidacies, the distribution and receipt of ballots and absentee votes, all types of rulings issued, counting of votes, results of the elections and other similar items. Subordinate election boards shall record all items provided for in this Act or which are of significance for the election procedures.

Municipal councils shall provide the presiding election boards with record books.

Presiding election boards shall provide their subordinate and district election boards with record books, unless those election boards are provided with special forms in lieu of record books.

Article 16

Any person sitting on an election board must request a replacement if he/she is a candidate for a municipal council in restricted elections by proportional representation.

A member of an election board must also request a replacement when a ruling is to be issued on a matter concerning his/her spouse or other person who is a relation by blood or marriage in a direct line or at one lateral remove, or to whom he/she is related in a similar manner as the result of adoption.

Article 17

Alternates shall sit as members of electoral boards in the absence of regular members in accordance with the usual rules when their elections are by proportional representation or otherwise in accordance with the order in which they were elected. Should any election board not be fully manned in this manner, the board itself must summon an individual or individuals to fill the required number.

All citizens are obliged to serve if elected to an election board.

CHAPTER VI Candidacy and agents

Article 18

Anyone who is eligible for election, of sound mind and body, and younger than 65 years of age is obliged to serve if elected to a municipal council. No person's name may, however, be placed on a list of candidates without his/her written permission.

A person who has served on a municipal council for one electoral term or longer is not obliged to serve until an amount of time equal to his/her last continuous term of service has

elapsed, provided he/she notifies the presiding election board of refusal to be eligible for reelection prior to the expiry of the time limit for notification of candidacy.

Article 19

Representatives of municipal councils shall be elected by secret ballot in general elections which may be arranged in one of two ways:

- a. restricted elections by proportional representation, where elections are limited to candidates on electoral lists and representatives on each list are elected in proportion to the quantity of votes cast for the list;
- b. unrestricted elections, where an election is not limited to declared candidates but rather all electors are eligible for election with the exception of those legally exempt from the obligation to serve and who have declared their refusal to serve prior to the election.

Article 20

Municipal elections shall as a rule be by restricted proportional representation. In the event that no list of candidates is submitted prior to the expiry of the time limit for notification of candidacy, or if so few names are on lists of candidates that the municipal council will not be fully manned through restricted elections, the elections shall then be unrestricted.

Article 21

When municipal elections are to take place all candidacies must be notified in writing to the presiding election board no later than 12 o'clock noon on the date when three weeks remain until election day.

Care shall be taken to ensure that all candidacies specify clearly a candidate's full name, identification number, position and place of residence, in order that there can be no confusion as to who are standing for election.

Article 22

A list of candidates must be accompanied by a written declaration by all persons on the list that they have authorised the inclusion of their name on the list. A list of candidates must also be accompanied by a written declaration of support for the list from electors in the municipality concerned. [The name, identification number and address of each supporter shall be specified.]¹⁾ Each elector may only declare support for a single list in each election. [No supporters are required in municipalities with 100 residents or less.]¹⁾

The minimum number of supporters as provided for in the first paragraph shall be as follows:

- a. in a municipality with [101-500 residents]¹⁾, 10 supporters;
- b. in a municipality with 501-2000 residents, 20 supporters;
- c. in a municipality with 2,001-10,000 residents, 40 supporters;
- d. in a municipality with 10,001-50,000 residents, 80 supporters;
- e. in a municipality with over 50,000 residents, 160 supporters.

The maximum number of supporters shall be double the required minimum number of supporters.

[A candidate can withdraw his/her consent to stand for election up until the time limit for submitting lists of candidates expires.

An elector, who has supported a list of candidates, cannot revoke his/her declaration of support after the list of candidates has been submitted to the presiding election board.]¹⁾

¹⁾Act No. 27/2002, Art. 5.

Article 23

Each list of candidates sent to a presiding election board must be accompanied by a written notification from the candidates on the list of two persons who shall be the list's agents. If no agents are specified for a list or an agent is detained by urgent matters, any of the candidates for a regular councillor's seat may serve as its agents. These agents shall safeguard the interests of those

lists they represent when the lists are examined and ruled upon. They shall provide information concerning the lists at the request of the presiding election board. They may themselves be present, or appoint others to attend in their stead, when elections take place at the individual polling stations and at the vote counting. Agents are obliged to abide by the rules of procedure adopted by election boards.

Article 24

Once the time limit set for declaring candidacy has expired the presiding election board shall meet on the following day, giving the agents for candidate lists the opportunity to be present at the meeting. If defects are discovered in candidate lists the agents concerned shall be given the opportunity to rectify the defects and may be given a time limit in which to do so to the extent that time and circumstances permit. Should the defects pointed out by the presiding election board not be rectified within the prescribed time limit, the board shall issue a ruling as to whether the list shall be declared invalid as a result. Should the members of the presiding election board disagree on the ruling the majority of votes shall decide the question.

Article 25

The presiding election board shall decide questions of eligibility for election. Its rulings may be referred to the municipal council. A ruling by the municipal council may be appealed in the same manner as is provided for in Article 93 if such a ruling results in the loss of eligibility of a prospective representative.

Article 26

A list of candidates in a municipality must include at least as many names of candidates as are to be elected as councillors on the municipal council in each instance, and never more than double this number. If a presiding election board receives a list with more names than are prescribed it shall remove from the bottom of the list the names exceeding the prescribed number.

No person may be a candidate on more than one list in the same municipal election.

Article 27

In the event that the presiding election board receives a list including the name of a person without the accompanying written consent of this person, or if a person has given written permission for his/her name to appear on more than one list, the presiding election board shall remove this name from the list or lists respectively.

[In the event that the presiding election board receives lists of supporters where the same elector has supported more than one list of candidates, the elector shall not be deemed to be a supporter of any of them.]¹⁾

¹⁾ *Act No. 27/2002, Art. 6*

Article 28

In the event that a list of candidates is ruled to be invalid, a copy of the ruling shall be delivered immediately to the agent or agents concerned together with a copy of the list which has been declared invalid.

Article 29

In the event that only one list of candidates is submitted, the presiding election board shall extend the time limit by 48 hours. Should no new list of candidates be submitted by the time this time limit expires, the list submitted will be elected unopposed.

Article 30

In the event that a candidate should die before the elections take place, but after the time limit for declaring candidacy has expired or within 72 hours prior to the expiry of the time limit for declaring candidacy, another person may be substituted for the deceased on the list within one week if at least one-half of those persons supporting a list of candidates so demand, provided that other general requirements for candidacy are satisfied.