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**NATIONAL ELECTORAL
COMMISSION**

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Information

**about the rights of voters with disabilities and voters who will be 60 years of age
on the day of voting**

The National Electoral Commission informs about the rights of voters with disabilities and voters who will be 60 years of age on the day of voting, provided for in the provisions of the Act of January 5, 2011 - Electoral Code (Journal of Laws of 2023, item 2408).

Please note that in all cases mentioned below, it is the receipt of the notification by the competent authority and not the postmark that determines whether the deadline has been met.

I. The right to obtain information about elections

A voter with disabilities and a voter who is 60 years of age on the day of voting and included in the Central Register of Voters in a permanent polling districts in a particular commune has the right to obtain information about:

- 1) election date and voting hours;
- 2) appropriate constituency and polling districts;
- 3) premises of district electoral commissions located closest to his place of residence, including premises adapted to the needs of people with disabilities;
- 4) conditions for including a voter in the voters' list in the polling district in which the district electoral commission's premises are adapted to the needs of voters with disabilities;
- 5) conditions of free transport to and from the polling station;
- 6) electoral committees taking part in the elections and registered lists of candidates and candidates;
- 7) conditions and forms of voting.

This information is provided to the voter, at his or her request, by a head of commune (mayor, city president) by telephone or in printed information materials, including electronically. In a notification in question, the voter provides the surname, name(s) and permanent address.

The information referred to above is also made available in the commune's Public Information Bulletin and made public in the manner customary in a particular commune.

II. The right to free transport to the polling station and return transport in a commune where there is no municipal passenger transport on election day

Voters with disabilities with a significant or moderate degree of disability within the meaning of the Act of August 27, 1997 on vocational and social rehabilitation and employment of persons with disabilities (Journal of Laws of 2024, item 44), including **voters with a decision of the pension authority regarding on:**

- 1) total incapacity to work, determined pursuant to Art. 12 section 2, and inability to live independently, determined pursuant to Art. 13 section 5 of the Act of December 17, 1998 on pensions and annuities from the Social Insurance Fund (Journal of Laws of 2023, items 1251, 1429, 1672);
- 2) inability to live independently, determined pursuant to Art. 13 section 5 of the Act mentioned in point 1;
- 3) total incapacity to work, determined pursuant to Art. 12 section 2 of the Act mentioned in point 1;
- 4) inclusion in the first group of invalids;
- 5) inclusion in the second group of invalids;

as well as persons with permanent or long-term incapacity to work on a farm who are entitled to care allowance

and voters who will be 60 years of age on the day of voting,

are entitled to free transport from:

- 1) the place of residence where a particular voter is included in the voter's roll, or the place specified in the notification to change the voting place, to the polling station appropriate for the voting district in which the voter is included in the voter's roll;
- 2) the place of stay to the nearest polling station on the day of voting, **in the case of a voter with a certificate of voting rights (applies to elections to the European Parliament);**

- 3) the polling station, to the place where a particular voter started his journey, hereinafter referred to as "return transport".

Transport to the premises and return transport is provided by the head of commune (mayor, city president) of the commune in which there is no municipal passenger transport on election day.

A voter with disabilities whose health condition does not allow him/her to travel independently may be accompanied by a guardian.

The intention to exercise the right to transport to the premises or return transport should be reported by the voter to the relevant head of commune (mayor, city president) **no later than on the 13th day before the election day.**

Submitting the intention to exercise the right to transport to the premises or return transport also applies to a possible re-vote in the elections of the head of commune (mayor, city president). In the case of a second vote, a voter who did not declare his or her intention to exercise the right to transport to the premises or return transport before the first vote may, after the day of the first vote (the so-called first round), report to the relevant head of commune (mayor, city president) his or her intention to exercise the right to transport to the premises or return transport in the second round of voting (the so-called second round), on the 5th day before the day of the repeat voting at the latest.

The notification can be made verbally, in writing or electronically. It should include the surname and first name(s), the PESEL number of the voter and the guardian if the voter is to be accompanied, the place of residence or place of stay in the case of a voter who has a certificate of voting rights, an indication of whether the voter intends to use return transport, an indication of the election to which the notification relates, and the voter's telephone number or e-mail address, if any.

In the notification:

- 1) a voter whose health condition does not allow him/her to travel independently declares this fact,
- 2) a voter with disabilities declares the certified degree of disability and the validity of the certificate.

The voter who has notified his or her intention to use the right to transport to the premises is informed by the head of commune (mayor, city president) about the time of transport to the premises on the day of voting, **no later than on the 3rd day before the day of voting.**

A voter who has declared his or her intention to exercise the right to transport to the polling station or return transport may withdraw his or her notification or resign only from return transport 2 days before voting day at the latest. Withdrawal of the notification or resignation from return transport may be made verbally at the commune office, in writing or electronically.

III. The right to vote by correspondence

Voters who have a certificate of significant or moderate degree of disability within the meaning of the Act of 27 August 1997 on vocational and social rehabilitation and employment of persons with disabilities (Journal of Laws of 2024, item 44) can vote by correspondence, **including voters with a decision of the pension authority regarding on:**

- 1) total incapacity to work, determined pursuant to Art. 12 section 2, and inability to live independently, determined pursuant to Art. 13 section 5 of the Act of December 17, 1998 on pensions and annuities from the Social Insurance Fund (Journal of Laws of 2023, items 1251, 1429, 1672);
 - 2) inability to live independently, determined pursuant to Art. 13 section 5 of the Act mentioned in point 1;
 - 3) total incapacity to work, determined pursuant to Art. 12 section 2 of the Act mentioned in point 1;
 - 4) inclusion in the first group of invalids;
 - 5) inclusion in the second group of invalids;
- as well as persons with permanent or long-term incapacity to work on a farm who are entitled to care allowance.

Voters, who can also vote by correspondence:

- 1) subject to mandatory quarantine, isolation or isolation at home on the day of voting;
- 2) will be 60 years of age on the day of voting.

It is possible to vote by post only within the country.

The voter's intention to vote by post should be reported to the electoral commissioner **no later than on the 13th day before election day.**

The intention to vote by correspondence also applies to a possible second round of voting (so-called second round) in the election of a head of commune (mayor, city president). In the event of a repeat voting, a voter who did not declare his or her intention to vote by correspondence before the first vote may, after the day of the first vote, notify the electoral commissioner of his or her intention to vote by correspondence in the repeat voting, **no later than on the 10th day before the day of the repeat voting.**

A voter who is subject to mandatory quarantine, isolation or home isolation on the day of voting may report his or her intention to vote by correspondence no later than **on the 5th day before election day**. However, a voter who begins to be subject to mandatory quarantine, isolation or isolation at home after this date may report this intention no later than **on the 2nd day before election day**.

In case of a second vote, a voter who is subject to mandatory quarantine, isolation or isolation at home on the day of voting, and who did not declare his or her intention to vote by correspondence before the first voting, may, after the day of the first voting, notify the Electoral Commissioner of his or her intention to vote by correspondence in the repeat voting, no later than **on the 5th day. before the day of the repeat voting**. However, a voter who begins to be subject to mandatory quarantine, isolation or isolation at home after this date may report this intention no later than **on the 2nd day before the day of the repeat voting**.

The notification can be submitted:

- 1) verbally;
- 2) in writing in the form:
 - a) paper, signed by hand,
 - b) electronic, with a qualified electronic signature, trusted signature or personal signature, using the electronic service available on the gov.pl website, after authentication of this person.
- 3) by telephone - in the case of a voter with disabilities and a voter who is subject to mandatory quarantine, isolation or isolation at home on the day of voting.

It should include the surname and first name(s), the voter's PESEL number, the designation of the elections to which the notification relates, and the address to which the electoral package is to be sent.

An auxiliary template for submitting the intention to vote by correspondence is attached to this information.

A voter with disabilities must attach a copy of the current decision of the competent authority determining the degree of disability to the notification. If the notification was made verbally, the voter must separately submit the decision to the commune office.

In the notification, a voter with disabilities may request that ballot overlays prepared in Braille be attached to the electoral package and may include or provide an e-mail address or mobile phone number as well as information about consent to the transfer of data to the register of contact details of natural persons, referred to in art. 20h of the Act of February 17, 2005 on the computerization of the activities of entities performing public tasks (Journal of Laws of 2023, item 57, as amended).

A voter voting by correspondence will be included in the list of voters in the voting district appropriate for his or her permanent place of residence (according to the address of the permanent voting district in the Central Register of Voters).

No later than on the 6th day before election day, the voter will receive an electoral package, which will be delivered by a representative of *Poczta Polska* **only to the voter's own hands**, after presenting a document confirming identity and written acknowledgment of receipt.

If the voter cannot confirm receipt, the deliverer will confirm the date of delivery and indicate the recipient and the reason for the lack of his signature.

A voter who is subject to mandatory quarantine, isolation or home isolation on the day of voting will receive an electoral package **no later than on the 2nd day before election day**. The package will be delivered to the door of the apartment or other premises where the voter is staying, using personal protective equipment.

If the voter is absent at the indicated address, the deliverer will place a notice of the re-delivery date in the mailbox or, if this is not possible, on the door of the apartment. The deadline for repeated delivery cannot be longer than 1 day from the date of first delivery.

The electoral package sent to the voter includes: a return envelope, voting cards (in the elections to the European Parliament - a voting card), an envelope for the voting card, a declaration of voting in person and secretly on the ballots, instructions for postal voting and possibly overlays. for ballots prepared in Braille, if a voter with disabilities requested their sending.

On the ballot, the voter votes in the manner specified in the information at the bottom of the

ballot..

After casting a vote, the ballot papers (in the European Parliament elections - the ballot card) should be placed in an envelope marked "Envelope for the ballot card" and the envelope should be sealed. **Failure to seal the ballot envelope will result in the ballot papers (cards) not being taken into account when determining the voting results.**

The sealed envelope for the evaluation card should be placed in the return envelope addressed to the district electoral commission.

Subsequently, one must fill out a statement of personal and confidential voting, which requires:

- 1) **to enter the locality and date of its preparation,**
- 2) **to sign it by hand.**

The statement is to be placed in the return envelope (with the address of the district electoral commission). **Failure to insert the statement into the return envelope or to sign it will result in the ballot(s) not being considered** when determining the voting results.

The return envelope containing:

- 1) a sealed envelope with the ballot(s);
- 2) a signed statement of personal and confidential voting

be sealed and handed over to a representative of *Poczta Polska*.

A representative of *Poczta Polska* will collect the sealed return envelope from a voter with disabilities and a voter who will be 60 years of age on the day of voting, who have received the voting package, based on the identity document they present. The collection occurs upon acknowledgment no later than:

- 1) on the day of the elections, if the voter **at the time of the delivery of the voting package requested its collection**, at the address indicated by the voter;
- 2) on the last working day before the day of the election - at *Poczta Polska* office located in the municipality area where the voter is listed in the permanent voting district in the Central Register of Voters;
- 3) on the third working day before the election day in any *Poczta Polska* office.

A voter with disabilities and a voter who will be 60 years of age on the day of voting may personally deliver the return envelope to the district electoral commission on the day of the election, **until the end of voting**, the address of which is on the return envelope.

A voter subject to mandatory quarantine, isolation, or home isolation on the day of voting delivers the sealed return envelope to a representative of *Poczta Polska*, **no later than on the day of the elections**, at the address where the voting package was delivered, while observing personal protection measures.

Voters listed in the electoral registers in voting districts established in medical facilities, social welfare establishments, penal institutions, places of remand, and student dormitories, as well as voters who have granted a proxy for voting, **cannot vote by correspondence**.

IV. The right to vote by proxy

Voters who have a certificate of significant or moderate disability within the meaning of the Act of August 27, 1997, on vocational and social rehabilitation and employment of persons with disabilities (Journal of Laws of 2024, item 44) **can vote by proxy, including voters with a certificate from the pension authority regarding on:**

- 1) total incapacity to work, established based on Article 12(2), and inability to live independently, established based on Article 13(5) of the Act of December 17, 1998, on pensions and pensions from the Social Insurance Fund (Journal of Laws of 2023, items 1251, 1429, 1672);
- 2) inability to live independently, established based on Article 13(5) of the Act mentioned in point 1;
- 3) total incapacity to work, established based on Article 12(2) of the Act mentioned in point 1;
- 4) inclusion in the first group of invalids;
- 5) inclusion in the second group of invalids;

as well as individuals with permanent or long-term incapacity to work in agriculture, who are entitled to care allowance, can also vote by proxy.

Moreover, **voters who will be 60 years of age on the day of the election can vote by proxy**.

Voting by proxy is only possible within the country.

A proxy can be a person with the right to vote.

A proxy cannot be:

- 1) a person who is a member of the district electoral commission appropriate for the voting district of the person granting the proxy for voting;
- 2) a trustee;
- 3) a social observer;
- 4) a person running in the elections.

A proxy can be granted:

- 1) only by one person or
- 2) by two persons if at least one of them is an ancestor (father, mother, grandfather, grandmother, etc.), descendant (son, daughter, grandson, granddaughter, etc.), spouse, brother, sister, or a person in a legal relationship of adoption, guardianship, or curatorship with the proxy.

The proxy is granted before a head of commune (mayor, city president) or another municipal office employee authorized by a head of commune (mayor, city president) to prepare voting proxy documents.

To prepare a voting proxy document, a voter **submits a notification** to a head of commune (mayor, city president) of the municipality where they are listed in the permanent voting district in the Central Register of Voters.

The notification must be **submitted no later than on the 9th day before the election day**.

The notification form has been established by the Minister of Internal Affairs and Administration and is an annex to the information.

The voting proxy document prepared before the first voting also applies to the repeat voting in the elections of a head of commune (mayor, city president) if it is conducted. However, a voter who did not submit a notification for the preparation of a voting proxy document before the first voting may submit a notification for its preparation no later than 9 days before the day of the repeat voting, after the first voting day.

The notification can be submitted:

- 1) verbally;
- 2) in writing in the form of:
 - a) paper, signed by hand,

- b) electronic, signed with a qualified electronic signature, a trusted signature, or a personal signature, using the electronic service provided on the gov.pl website, after authenticating the person.

It should contain the surname and name(s), PESEL number, and address of residence of both the voter and the person to whom the voting proxy is to be granted, as well as the designation of the elections to which the voting proxy relates. In the notification, the voter can include an email address or mobile phone number and information on consenting to the transfer of data to the register of contact details of individuals as referred to in Article 20h of the Act of February 17, 2005, on the computerization of the activities of entities performing public tasks.

The notification must be accompanied by:

- a written consent of the person to be the proxy to accept the proxy – **the consent form has been established** by the Minister of Internal Affairs and Administration and is an annex to the information;
- a copy of the current decision of the competent authority determining the degree of disability **only if the voter granting the proxy will not be 60 years of age on the day of voting;**

The voting proxy document is usually prepared at the voter's place of permanent residence unless the voter requests in the notification that it be prepared elsewhere in the municipality where they permanently reside and are listed in the permanent voting district in the Central Register of Voters.

A voter has the right to revoke the granted proxy. The revocation of the proxy occurs through:

- 1) submitting an appropriate declaration to a head of commune (mayor, city president) of the municipality where the voting proxy document was prepared, no later than 2 days before the election day. The declaration must be submitted during the working hours of the municipal office.
- 2) delivering such a declaration to the appropriate district electoral commission on the day of voting between 7:00 and 21:00, provided that the proxy has not yet voted.

A voter who has granted a proxy can vote in person at the polling station, provided that their proxy has not previously voted. Personal voting by the voter results in the expiration of the proxy.

Voting by proxy is not conducted in voting districts established in medical facilities, social welfare establishments, penal institutions, places of remand, and student dormitories.

A person who has registered for voting by correspondence cannot grant a voting proxy.

V. Voting in a selected polling station of the district electoral commission, including in a location adapted to the needs of persons with disabilities

A voter with disabilities can vote in person at the polling station in the voting district appropriate for their place of residence. He or she may also vote in a selected polling station adapted to the needs of persons with disabilities. To this end, they should submit a notification to change the voting place.

In local elections, a notification to change the voting place may only concern a polling station of the district electoral commission adapted to the needs of voters with disabilities located in the electoral district appropriate for the address at which the voter is listed in the permanent voting district in the Central Register of Voters. Only if there is no such polling station in that electoral district can a notification concern a polling station of the district electoral commission adapted to the needs of voters with disabilities located in another electoral district.

A notification should be submitted no earlier than on the 44th day and no later than on the 3rd day before the election day.

A notification also applies to any repeat voting in the elections of a head of commune (mayor, city president). In case of repeat voting, a voter with disabilities who did not submit a notification to be added to the electoral register in the selected voting district in the electoral district appropriate for their place of permanent residence before the first voting may submit such a notification concerning repeat voting after the first voting day. **A notification should be submitted no earlier than on the 13th day and no later than on the 3rd day before the day of repeat voting.**

After submitting the above notification, a voter will be removed from the register in the permanent voting district appropriate for the address of permanent registration or permanent residence.

Information on polling stations of the district electoral commissions adapted to the needs of persons with disabilities is available in the Public Information Bulletin of the

municipality and in the announcement by a head of commune (mayor, city president) on the numbers and boundaries of voting districts, no later than **on the 30th day before the election day**.

VI. Voting at the polling station using a Braille alphabet overlay on the ballot

At the polling station, a voter with disabilities can also vote using a Braille alphabet overlay on the ballot in the elections.

On the day of the elections, the district electoral commission, upon request, will provide the voter with disabilities with overlays (overlay) for these ballots (ballot). After voting, the voter is required to return the overlays (overlay) for the ballots (ballot) to the district electoral commission.

VII. Receiving assistance from another person while voting at the polling station

A voter with disabilities, upon request, may be assisted by another person, including a minor, in voting at the polling station. This assistance can only be technical in nature. It cannot involve suggesting how the voter should vote or voting on behalf of the voter. It is permissible for the person providing assistance to be present in the booth behind the curtain at the request of a voter with disabilities. This person cannot be a member of the commission, a trusted person, nor a social or international observer.

However, the commission is obliged, at the request of a voter with disabilities, to verbally convey the content of electoral announcements regarding the electoral committees participating in the elections and the registered candidates.

Chairman of the
National Electoral Commission

Sylwester Marciniak

(document signed electronically)