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# Local elections (city, municipal and local / district councils and district council), submit election proposals

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Modul	Sachverhalt
Leistungsschlüssel	99128023000000
Leistungsbezeichnung I	Local elections (city, municipal and local / district councils and district council), submit election proposals
Leistungsbezeichnung II	Local elections (city, municipal and local / district councils and district council), submit election proposals
Typisierung	4 - Land: Regelung
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	

Modul	Sachverhalt
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• §§ 6 bis 7 Gesetz über die Kommunalwahlen im Freistaat Sachsen (Kommunalwahlgesetz, KomWG) – Aufstellung, Änderung und Zulassung von Wahlvorschlägen</li> <li>• §§ 16 bis 20 Verordnung des Sächsischen Staatsministeriums des Innern zur Durchführung des Gesetzes über die Kommunalwahlen im Freistaat Sachsen (Kommunalwahlordnung, KomWO) – Wahlvorschläge</li> </ul>
Teaser	The nominations for the aforementioned local elections are put forward by parties and voters' associations.
Volltext	<p>The nominations for the aforementioned local elections are put forward by parties and voters' associations.</p> <p>A distinction is made between membership and non-membership voters' associations. The difference is generally due to the fact that member voters' associations have a constitution and programme and a fixed organisational structure.</p> <p>Nominations are submitted to the chairperson of the respective election committee</p> <ul style="list-style-type: none"> <li>• at the earliest on the day after the announcement of the election,</li> <li>• by 6 p.m. on the 66th day before the election at the latest.</li> </ul> <p>The number of candidates nominated may not exceed one and a half times the number of seats to be filled in the councils.</p> <p>Election proposals from parties and</p>

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member-organised electoral associations

Parties and member-organised voters' associations elect their candidates in a members' or representatives' meeting. The nominations must be signed by three members of the executive committee responsible for the electoral area or the body otherwise authorised to represent the party - including the chairperson or their deputy.

Election proposals from non-member organised voters' associations

Candidates from non-member voters' associations must have been elected at a meeting by a majority of the votes cast by those present who are entitled to vote. The election proposals must be signed by three eligible voters at this meeting.

Representatives

A representative and a deputy representative should be named in each election proposal. Unless otherwise stipulated in the Municipal Elections Act and the Municipal Election Regulations, only authorised representatives are entitled to make binding declarations on the election proposal and to receive declarations from electoral bodies.

Supporting Signatures

In principle, every election proposal must be provided with the appropriate supporting signatures. The following do not require supporting signatures

- the election proposal of a party or member voters' association that is elected on the basis of its own election proposal in the Saxon state parliament or has been represented in the respective body (city / municipal council or local council / district advisory council or in the district council) since the last election or
- the election proposal of a non-member voters' association whose elected representatives in the respective body (city council / municipal council or local

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council / district advisory council or in the district council) have signed the proposal by a majority.

Note: Parties or voter associations and their mandates that have ceased to exist since the last election due to incorporation or municipal mergers may also be counted.

The support lists are available for signing at the city or municipal administration; signatures must be provided in person on site. The electronic form is excluded. Supporters must be eligible to vote at the time of signing, i.e. be citizens of the respective municipality, city, town, city district or administrative district. Anyone who is unable to visit the city/municipal administration due to illness or a physical impairment can alternatively submit a corresponding declaration to an authorised representative of the respective office.

Please note! An authorised voter may not support several proposals for the same election. Furthermore, signatories may not be on the nomination in question themselves.

Minimum Number of Supporting Signatures for City, Municipality or District

The number of supporting signatures required depends on the number of inhabitants in the electoral area:

- up to 2,000 inhabitants: 20
- up to 5,000 inhabitants: 40
- up to 10,000 inhabitants: 60
- up to 20,000 inhabitants: 80
- up to 50,000 inhabitants: 100
- up to 100,000 inhabitants: 160
- up to 300,000 inhabitants: 200
- more than 300,000 inhabitants: 240

City or Municipality with several Constituencies/Districts

The number of required supporting signatures is divided by the number of constituencies; fractions of

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the calculated number must be rounded up.

Minimum Number of Supporting Signatures for Township and Urban District

The number of supporting signatures required depends on the number of inhabitants in the electoral area:

- up to 500 inhabitants: 10
- up to 2,000 inhabitants: 20
- more than 2,000 inhabitants: 30

Joint Nominations

Joint election proposals of several parties or voters' associations require supporting signatures if this is necessary for at least one candidate.

## Erforderliche Unterlagen

The election proposal should be submitted in accordance with the model of the local election regulations (Annex 16 KomWO). This must be enclosed:

- Declaration of consent of the candidate for inclusion in the election proposal and certificate of eligibility (Annex 17 to Section 16 (3) nos. 1 and 2 KomWO)
- for the election proposal of a party or voters' association: Minutes of the meeting for the nomination of candidates and
- affirmation in lieu of an oath (Annexes 19 and 20 to Section 16 (3) no. 4 KomWO)
- If applicable: certificate from the executive committee or other authorised representative of the party or membership-based voters' association responsible for the city / municipality or district that the number of members entitled to vote in the city / municipality (locality) was not sufficient to hold a general meeting
- for the election proposal of a voters' association organised by membership: valid statutes of the voters' association (required for a party if the statutes have not been deposited with the Federal Returning Officer)
- for the election proposal of a non-membership-organised voters' association: for each signatory, a certificate from the competent city/municipality confirming their right to vote (Annex

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21 to Section 16 (3) no. 7 KomWO)

- for nationals of other EU member states (EU citizens): Affirmation in lieu of an oath that he or she has not lost eligibility in the member state of origin

If there is any doubt as to the accuracy of the declaration in lieu of an oath, candidates require confirmation from the competent administrative authority in their EU country of origin that they are eligible to stand for election there or that this authority is not aware of anything to the contrary.

- if the candidate is exempt from the obligation to register: Declaration in lieu of an oath stating how long he or she has had a residence in the city or municipality (if there are several residences in the Federal Republic of Germany: the main residence; the addresses of all residences must be given)

## Voraussetzungen

The applicants must

- have been nominated in a general assembly of members or representatives of political parties or electoral associations and
- have the right to vote.

## Kosten

## Verfahrensablauf

Submission

- The party or voters' association submits the election proposal with all necessary documents to the respective election committee. The election proposal can be submitted at the earliest on the day after the public announcement of the election and at the latest on the 66th day before the election, 6.00 pm.
- The chairperson of the election committee shall note the date and time of receipt on each nomination.

Note: It is advisable not to use the full deadline when submitting election proposals, otherwise missing documents can no longer be submitted or deficiencies corrected. This may result in the exclusion of the

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nomination from the election.

### Preview

- The chairperson of the election committee shall immediately check whether the submitted election proposals are complete and comply with the legal requirements.
- If there are any deficiencies in the nominations, the authorised representatives concerned are requested to rectify these in good time.

### Signatures of Support

- For each election proposal that requires a certain number of supporting signatures, the chairperson of the election committee draws up a list of supporting signatures. The respective list is available in the city or municipal administration until the end of the submission period so that other voters can sign the nomination. For district council elections, the lists of support are available in every municipality or town in the district. Supporting signatures can be submitted directly on site.
- On the day on which the submission deadline ends, the chairperson of the election committee closes the support lists at 6 p.m.; he or she certifies the number of signatures by personally signing the list.

### Admission of Nominations

#### The chairperson of the election committee

- invites the representatives to the meeting at which a decision is made on the approval of the nominations (no later than the 58th day before the election),
- presents all submitted election proposals to the election committee and reports to the committee on the result of the preliminary examination.

If fewer nominations than one and a half times the number of seats to be filled have been submitted, the election committee may extend the submission

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deadline to the 34th day before the election until 6.00 pm. This option is also available if there is no or only one eligible election proposal.

The responsible election committee (municipal election committee, district election committee)

- examines the nominations submitted and decides whether they are to be authorised or rejected,
- first gives the authorised representatives present the opportunity to comment on the decision on the respective election proposal and
- then determines the authorised election proposals and their order.

Decision of the Election Committee

- Following the resolution, the chairperson announces the decision of the election committee, provides the reasons and points out the possibility of appeal (information on legal remedies).
- If your election proposal is rejected or a candidate is cancelled, you will receive a notification without delay, which also contains a reference to the possibility of appeal (information on legal remedies).

## Bearbeitungsdauer

### Frist

- Decision on the admission or rejection of nominations: no later than the 58th day before the election
- Public announcement of the authorised nominations: at the latest on the 30th day before the election day by the city or municipal administration or by the district administration office
- If necessary, extension of the submission deadline in the case of no or only one eligible nomination or in the case of several eligible nominations that together contain fewer than one and a half times the number of seats to be filled (until 6.00 p.m. on the 34th day before the election)
- Decision on the approval or rejection of these nominations: no later than the 23rd day before the election
- Public announcement of the approved election proposals in this case without delay

## weiterführende



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**Sachverhalt**
**Informationen**
**Hinweise**
**Rechtsbehelf**
**Right of Appeal**

An appeal may be lodged against the approval or rejection of an election proposal or the deletion of a candidate. Candidates, any representative of a nomination and the chairman of the election committee may lodge a complaint with the legal supervisory authority within three days of the announcement of the decision. The legal supervisory authority is the responsible district office, in the case of district council elections and elections in independent cities the Saxony State Directorate. The supervisory authority must decide on the complaint without delay.

An appeal against this decision may be lodged with the competent administrative court.

**Kurztext**
**Ansprechpunkt**
**Zuständige Stelle**
**Formulare**
**Ursprungsportal**