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## Department for Legal Affairs



# LAW ON CHANGES AND AMENDMENTS TO THE LAW ON POLITICAL PARTY FINANCING

**“Official Gazette of Bosnia and Herzegovina”, 41/16**

[NOTE: The Law on Political Party Financing was published in the „Official Gazette of Bosnia and Herzegovina“, 95/12.](#)

Pursuant to Article IV/4a) of the Constitution of Bosnia and Herzegovina, at the 30<sup>th</sup> session of the House of Representatives held on 24 May 2016, and at the 19<sup>th</sup> session of the House of Peoples held on 27 May 2016, the Parliamentary Assembly adopted the following.

## **LAW ON CHANGES AND AMENDMENTS TO THE LAW ON POLITICAL PARTY FINANCING**

### **Article 1**

In the Law on Political Party Financing (“Official Gazette of Bosnia and Herzegovina”, No. 95/12) in Article 3 (Sources of Funding), paragraph (1), sub-paragraph e), the words: “with Article 10“, shall be replaced with the words „with Article (7).”

Sub-paragraph g) of the same paragraph shall be deleted.

### **Article 2**

In Article 9 (Prohibited activities), paragraph (2) shall be amended to read as follows:

“(2) Political party financing by raising loans with the banks shall be prohibited.”

### **Article 3**

In Article 11 (Obligation to maintain business ledgers), after paragraph (1), a new paragraph (2) shall be added to read as follows:

“(2) Political parties shall have the obligation to regulate by their internal acts a system of internal financial audits of the lower organizational units for the purpose of preventing any incorrect recording of revenues and expenditures and any abuse of financial assets.”

### **Article 4**

In Article 12 (Obligation to render a public statement of account), after paragraph (1), a new paragraph (2) shall be added to read as follows:

“(2) Political parties shall have the obligation to include in their financial reports all benefits obtained from the activities of the entities that are related to the political parties in any way or that are under their control.”

The current paragraphs (2), (3), (4) and (5) shall now be renumbered to become the paragraphs (3), (4), (5) and (6).

## **Article 5**

In Article 13 (Appointment of an authorized officer in the political party), after paragraph (5), a new paragraph (6) shall be added to read as follows:

“(6) Political parties shall have the obligation to show publicly the origin and method spending the funds collected during the course of the preceding calendar year (accounting year). The final account and the financial report that indicate in detail the origins of revenues, the information about physical and legal persons that have provided the voluntary contributions and the information about the purpose and activities for which the funds were spent, shall be considered as public documents and shall be published on the web-pages of the respective political party.”

## **Article 6**

In Article 14 (Competences of the Central Election Commission), after paragraph (3), a new paragraph (4) shall be added to read as follows:

“(4) Each suspicion about a criminal offense that can be brought in connection with the political party financing and the election campaign financing shall be reported by the Central Election Commission of BiH to the competent prosecutor's offices and other authorities that are responsible for law enforcement.”

## **Article 7**

In Article 19 (Fines imposed for political party violations), the words: „5,000.00 KM (five thousand convertible marks)”, shall be replaced with the words: „ 10,000.00 KM (ten thousand convertible marks)”.

In the same Article and paragraph, under sub-paragraph c), after the words: “by raising bank loans with the banks”, a comma shall be added, while the words: “in which the amount of the state-owned start-up capital exceeds the share of 25%” shall be deleted.

After sub-paragraph c), the new sub-paragraphs d), e), f), g), h), i), j) and k) shall be added to read as follows:

„d) a political party obtaining the funds from the sources that are not prescribed by Article 3 of this Law,

e) a political party violating the provisions of Article 9 of this Law,

f) a political party failing to keep the records about its revenues and expenditures as required by the regulations,

g) a political party failing to deliver the prescribed financial reports as required by the Election Law of Bosnia and Herzegovina (Article 12, paragraph (3)),

h) a political party failing to file a financial report as required by this Law (Article 12, paragraph (4)),

i) a political party failing to deliver the additional financial reports (Article 12, paragraph (5)),

j) a political party failing to appoint an authorized officer who is responsible for filing financial reports and who is authorized to communicate with the Central Election Commission of Bosnia and Herzegovina (Article 13),

k) a political party failing to inform the Central Election Commission of Bosnia and Herzegovina within the period of fifteen days following the date of appointment of the authorized officer or following the date of any change of status of the authorized officer.”

In the same Article, after paragraph (1), a new paragraph (2) shall be added to read as follows:

“(2) A fine in the amount between 200.00 KM (two hundred convertible marks) and 2,000.00 KM (two thousand convertible marks) shall also be imposed for a violation referred to in paragraph (1) of this Article on a physical person who has committed the violation.”

### **Article 8**

In Article 20 (Fines imposed for violations up to the threefold amount), after paragraph (1), a new paragraph (2) shall be added to read as follows:

“(2) A fine in the amount between 200.00 KM (two hundred convertible marks) and 2,000.00 KM (two thousand convertible marks) shall also be imposed for a violation referred to in paragraph (1) of this Article on a physical person who has committed the violation.”

### **Article 9**

This Law shall enter into force on the eighth day following the date of its publication in the “Official Gazette of Bosnia and Herzegovina”.

No .01,02-02-1-1033/16  
27 May 2016  
Sarajevo

Speaker  
of the House of Representatives  
of the Parliamentary Assembly of BiH  
**Mladen Bosić**, *manu propria*

Speaker  
of the House of Peoples  
of the Parliamentary Assembly of BiH  
**MSc. Ognjen Tadić**, *manu propria*