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Political Parties Act

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17.02.1999	RT I 1999, 27, 393	01.07.1999
29.01.2002	RT I 2002, 21, 117	04.03.2002
13.03.2002	RT I 2002, 29, 174	01.07.2002
07.05.2002	RT I 2002, 42, 264	24.05.2002
12.06.2002	RT I 2002, 57, 355	18.07.2002
03.12.2002	RT I 2002, 102, 602	01.01.2003
18.12.2002	RT I 2003, 4, 22	23.01.2003
18.12.2003	RT I 2003, 90, 601	01.01.2004, in part 01.01.2008
28.06.2005	RT I 2005, 47, 387	18.09.2005
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09.11.2006	RT I 2006, 52, 384	10.12.2006
24.01.2007	RT I 2007, 12, 66	01.01.2008
14.02.2007	RT I 2007, 24, 126	01.07.2007
29.10.2009	RT I 2009, 54, 363	01.01.2010
26.11.2009	RT I 2009, 62, 405	01.01.2010
27.01.2010	RT I 2010, 9, 41	08.03.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011, will enter into force on the date specified in the decision of the Council of the European Union concerning abrogation of the derogation established with regard to the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Decision No. 2010/146/EU of the Council of the European Union of 13 July 2010 (OJ L 196, 28.07.2010, pp. 24-26).
19.05.2010	RT I 2010, 29, 150	01.01.2011
25.11.2010	RT I, 10.12.2010, 1	01.04.2011
08.12.2011	RT I, 29.12.2011, 1	01.01.2012
14.06.2012	RT I, 27.06.2012, 1	07.07.2012
28.03.2013	RT I, 19.03.2013, 2	01.04.2013
22.01.2014	RT I, 05.02.2014, 1	01.04.2014, will enter into force as of the commencement of the term of office of the XIII composition of the Riigikogu
11.06.2014	RT I, 21.06.2014, 8	01.01.2015, in part 01.07.2014

Chapter 1 General Provisions

§ 1. Definition of political party

(1) A political party is a voluntary political association of Estonian citizens, which has been registered pursuant to the procedure provided for in this Act and the objective of which is to express the political interests of its members and supporters and to exercise state and local government authority.

(2) A political party is a non-profit association. The Non-profit Associations Act applies to political parties in so far as this Act does not provide otherwise.

[RT I 2003, 90, 601 – entry into force 01.01.2004]

§ 2. Means for achieving objectives of political party

(1) The means for achieving the objectives of a political party are:

- 1) the presentation of candidates and conduct of election campaigns of the political party in elections to the *Riigikogu* and the European Parliament and elections of councils of local authorities;
- 2) the participation of the political party in the activities of the *Riigikogu* through members of the political party elected to the *Riigikogu*; in the activities of the European Parliament through members of the political party elected to the European Parliament; in the activities of councils of local authorities through members of the political party elected to local authority councils; in the election of the President of the Republic, the formation of the Government of the Republic and the executive body of local authority councils through members of the political party elected to the *Riigikogu* and to the local authority council, respectively; and in international cooperation with political parties of foreign states.

(2) [Repealed - RT I 1996, 42, 811 – entry into force 01.10.1996]

§ 3. Principle of territoriality in formation of political parties

(1) Political parties are formed on the principle of territoriality. Political parties cannot found sub-units in institutions, enterprises or organisations.

(2) The directing bodies and structural units of political parties founded, registered and operating in Estonia must be located within the territory under the jurisdiction of the Republic of Estonia. Structural units of political parties may also be located in a foreign state if this is not contrary to the laws of that state.

§ 4. Restrictions on activities of political parties

(1) Political parties whose objectives or activities are aimed at changing the constitutional order or territorial integrity of Estonia by force or are otherwise contrary to criminal law are prohibited.

(2) Organisations or alliances that possess weapons, are militarily organised or perform military exercises cannot operate as a political party or structural unit of a political party.

(3) Interference in the internal matters of a political party, except in special cases permitted by law, is prohibited.

(4) The formation and operation of political parties or their sub-units or of other political associations or their structural units of other states is prohibited within the territory under the jurisdiction of the Republic of Estonia.

§ 5. Members of political party

(1) An Estonian citizen who has active legal capacity and has attained 18 years of age may be a member of a political party. A citizen of the European Union who is not an Estonian citizen, but has permanent residence in Estonia, has active legal capacity and has attained 18 years of age may also be a member of a political party. A person may be a member of only one political party at a time.

[RT I 2006, 52, 384 – entry into force 10.12.2006]

(2) Membership in, the leaving of and exclusion from a political party is regulated by the Non-profit Associations Act, unless otherwise provided for in this Act.

(2¹) In order to become a member of a political party, a person must submit a written application to the political party. In order to leave a political party, a member of the political party must submit a written application to the political party or to the registration department of Tartu County Court (hereinafter *registration department*). The rights and duties of a member of a political party come into effect as of registration in the list of the members of the political party and terminate as of making a notation in the list regarding the termination of membership in the political party, except in the event specified in clause 8¹(3) 4) of this Act.
[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(3) The following persons may not be members of a political party:

- 1) the Chancellor of Justice and their advisors;
- 2) the Auditor General and the chief auditor of the National Audit Office;
- 3) judges;
- 4) prosecutors;
- 5) police officers;
- 6) members of the Defence Forces in active service.
- 7) [repealed – RT I 2009, 62, 405 – entry into force 01.01.2010]

(4) The President of the Republic will suspend his or her membership in a political party for the duration of the term of office.

(5) Political parties cannot have collective members.

§ 5¹. Election coalition

(1) The provisions of subsection 12¹(1), clause 12 (2) 3), subsection 12 (13), subsections 12³(1), (2) and (4), subsections 12⁴(1) to (4) and (6) to (7), and subsection 12⁵(2) of this Act apply to election coalitions.
[RT I, 21.06.2014, 8 – entry into force 01.07.2014]

(2) In the course of its operations, an election coalition submits to the political party funding supervision committee quarterly reports on donations received by the election coalition.

(3) If an election coalition terminates before the deadline of submission of an election campaign report, the report will be submitted immediately after the termination of the election coalition.

(4) The person authorised to lead an election coalition is liable for the performance of the duties and obligations of the election coalition under this Act.
[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

§ 5². Single candidate

(1) A single candidate is a natural person who runs as a candidate in the elections of the *Riigikogu*, the European Parliament or the council of a local authority. The provisions applicable to single candidates apply to a person running in the list of a political party or election coalition who incurred election campaign expenses separately from the political party or election coalition.
[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(2) [Repealed – RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(3) The sources of funding of the election campaign of a single candidate include:

- 1) donations made on the terms and conditions laid down in this Act;
- 2) personal property of the single candidate.

(4) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(5) The provisions of subsections 12¹(13), 12³(1), (2) and (4), subsections 12⁴(1)–(4) and (6)–(7) apply to single candidates.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

Chapter 2

Foundation and Organisation of Activities of Political Parties

§ 6. Foundation of political party

(1) A political party is founded by an unattested written memorandum of association. The provisions of the Non-profit Associations Act apply to the memorandum of association of a political party unless otherwise provided by this Act.

(2) A political party is registered if it has at least 500 members.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 7. Articles of association and platform of political party

(1) The activities of political parties are based on their articles of association.

(2) The requirements for articles of association provided for in the Non-profit Associations Act apply to the articles of association of a political party.

(2¹) A resolution on amendment of the articles of association of a political party is adopted if over one-half of the members or their representatives who participate in the general meeting vote in favour and the articles of association do not prescribe a greater representation requirement.

(3) The political activity of a political party is based on a platform. The procedures for its approval and amendment are provided for in the articles of association of the political party.
[RT I 2003, 90, 601 – entry into force 01.01.2004]

§ 8. Application for entry in register

The following is appended to the application of a political party for entry in the non-profit associations and foundations register, in addition to that provided for in § 10 of the Non-profit Associations Act:

- 1) a platform signed by the members of the board;
- 2) a list of members of the political party, which contains members' names, personal identification codes and the day, month and year of becoming a member of the political party;
- 3) a sample or sketch of the insignia of the political party if these are prescribed by the articles of association.
[RT I 2002, 57, 355 – entry into force 18.07.2002]

§ 8¹. List of members of political party

(1) The list of the members of a political party is kept by the board of the political party in the registration department. The given name and surname, personal identification code, the time of becoming a member and the time of resignation or exclusion from the political party are indicated in the list.
[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(2) Changes to the list of the members of a political party are made by the board of the political party or a person authorised accordingly by the board.

(3) The registration department will indicate the termination of membership in the list of members of the political party in connection with the following:

[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

- 1) an application for resignation from the political party submitted to the department;
- 2) becoming a member of another political party, provided that the time of becoming a member of the other political party comes later;
- 3) the fact that the person is not an Estonian citizen or a citizen of the European Union having permanent residence in Estonia;
- 4) the death of the person.

(4) The registration department will immediately inform the political party of making the notations specified in subsection (3) of this section and, in the events specified in clauses 2) and 3) of section (3), also the relevant person.

[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(5) The registration department will publish the lists of the members of political parties in the online query system of the register of non-profit associations and foundations. Changes will be published immediately. Instead of the personal identification code, the date of birth will be published.

[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(6) The procedure for maintaining lists of members of political parties and the procedure for notification set out in subsection (4) will be established by a regulation of the minister responsible for the field.

[RT I 2010, 29, 150 – entry into force 01.01.2011]

§ 9. Decision on registration of articles of association of political party

(1) [Repealed – RT I 1996, 42, 811 – entry into force 01.10.1996]

(2) A political party will not be registered under the name of a political party which has already been entered in or deleted from the register.

§ 9¹. Participation and voting in general meeting of political party

A member of a political party or, in the cases prescribed in the articles of association, a representative of a member who is granted an unattested proxy may participate and vote in the general meeting of the political party. Only another member of the political party may be a representative.
[RT I 2003, 90, 601 – entry into force 01.01.2004]

§ 10. [Repealed - RT I 1999, 27, 393 – entry into force 01.07.1999]

§ 11. [Repealed – RT I 1999, 27, 393 – entry into force 01.07.1999]

§ 12. Ensuring legality of activities of political party, and merger, division and dissolution thereof

(1) The legality of the activities of political parties is ensured and the merger, division and dissolution of political parties is effected on the basis of the Non-profit Associations Act. A merger resolution of political parties is adopted if over one-half of the members who participate in or are represented at the general meeting vote in favour. Political parties participating in merger or division must, in addition to the information prescribed in the Non-profit Associations Act, also submit the information prescribed in § 8 of this Act. The list of members of the political party must reflect the situation following the merger or division.

(2) The registration department has the right to demand that the board of a political party submit the list specified in subsection 8¹(2) of this Act as of the date designated by the registration department if there is reason to believe that the actual number of members of the political party has fallen below 500.
[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(3) If the number of members of a political party falls below 500 and voluntary dissolution is not commenced, the registration department, in addition to persons specified in subsection 40 (1) of the Non-profit Associations Act, may request the commencement of compulsory dissolution.
[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(4) The activities of a political party whose activities or aims are directed at changing the constitutional order of Estonia by force will be terminated in accordance with the procedure provided for in the Constitutional Review Court Procedure Act.
[RT I 2003, 90, 601 – entry into force 01.01.2004]

Chapter 2¹

FUNDING OF ACTIVITIES OF POLITICAL PARTY AND SUPERVISION THEREOF

[RT I, 10.12.2010, 1 - entry into force 01.04.2011]

§ 12¹. Principles of funding of political party and disclosure of information

(1) A political party must, in accordance with the principle of democracy, ensure the lawfulness and complete transparency of its revenue and expenditure at least in the manner prescribed in this chapter.

(2) A political party may receive income only from the following sources:

- 1) membership fees established on the basis of the articles of association of the political party;
- 2) allocations from the state budget under this Act;
- 3) donations made on the terms and conditions laid down in this Act;
- 4) transactions with the property of the political party.

(3) A political party is prohibited to use public funds for conducting or organising the election campaign of the political party or a person running in the list of the political party, except for the allocations from the state budget based on this Act. An election coalition, single candidate, person running in the list of a political party and person running in the list of an election coalition is prohibited to use public funds for conducting or

organising their election campaign. The provisions of § 12⁴ of this Act apply to such prohibited income. For the purposes of this section, 'public funds' means state budget funds and local authority budget funds.

(4) As of the end of the quarter, a political party will draw up a quarterly report on the revenues earned and loans obtained following the list of sources specified in subsection (2) of this section and submit it to the political party funding supervision committee in the required form by the tenth day of the month following the quarter. The report will set out the date specified in subsections (5) and (6) of this section. The report will be published on the website of the political party funding supervision committee. Upon publication of the report on the website of the political party funding supervision committee, the personal identification code specified in subsections (6) and (7) of this section will be replaced by the person's date of birth.

(5) The political party will also disclose the donation that has been returned to the person or transferred to the state budget under subsections 12⁴(1)–(3) of this Act.

(6) With regard to the membership fee a political party will indicate that it is the membership fee and indicate the name and personal identification of the person who paid it and the amount and date of accrual of the membership fee.

(7) With regard to a donation a political party will indicate that it is a donation and indicate the name and personal identification code of the donor and the value and the date of accrual of the donation.

(8) A political party will draw up a quarterly report on their expenses as of the end of the quarter and submit it to the political party funding supervision committee in the required form by the 10th date of the month following the quarter. The report will set out the expenses divided into the following categories:

- 1) expenses of political activities;
- 2) labour expenses;
- 3) administrative expenses.

(9) The expenses of political activities specified in clause 1) of subsection (8) of this section will be categorised in the report as follows:

- 1) advertising expenses by type (television, radio, online, outdoor and newspaper advertising, printed advertising materials);
- 2) public relations expenses;
- 3) publication expenses;
- 4) expenses of public events;
- 5) Other expenses of political activities.

(10) The administrative expenses specified in clause 3) of subsection (8) of this section include, for the purposes of this Act, office rental and public utility expenses, transportation, heating, telecommunications, fixed asset depreciation, insurance, minor supplies and other similar expenses.

(11) The types of the expenses specified in subsections (8) and (9) of this section and the total quarterly expenses by the expense types will be indicated in the report.

(12) A political party will submit to the political party funding supervision committee an accounting printout of its payable bills and the balance sheet as of the end of the quarter by the tenth day of the month following the quarter.

(13) If a political party detects a deficiency in a submitted report, the political party will immediately submit to the political party funding supervision committee a report on the change. If the new report is submitted before the committee has detected the deficiency, the obligation provided for in subsection 12⁴(2) to transfer to the state budget the sum corresponding to the deficiency detected in the report will not be applied. If, in the event specified in subsection (1) of this section, the deficiency in the submission of the data specified in the first sentence of this subsection has been caused by a member of the political party or an affiliated organisation, the obligation to transfer to the state budget the amount corresponding to the deficiency detected in the report, which has been provided for in subsection 12⁴(2), will be applied to the member of the political party or to the affiliated organisation, taking into account the provisions of the first sentence of this subsection.

(14) A political party maintains a website for publication of information and communicate the address of the website to the registration department.

[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

§ 12². Borrowing

(1) A political party may enter into a loan contract only if the lender is a credit institution and the lending and borrowing takes place on market conditions. A loan agreement may be secured only with the property of the political party or the suretyship of a member of the political party.

(1¹) The upper limit of obligations arising from loan agreements is 25 per cent of the sum allocated to political parties from the state budget. The political party funding supervision committee will disclose the sum on its

website. The upper limit will not be applied to an election coalition or a political party whose total revenue specified in subsection 12¹(2) was below 50 000 euros in the previous financial year.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(2) The provisions of subsection (1) of this section do not apply to transactions ordinary in the day-to-day economic activities or to transactions executed on market conditions.

(3) A transaction violating the terms and conditions laid down in this section is deemed a prohibited donation.
[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

§ 12³. Donation

(1) For the purposes of this Act 'donation' means a financially assessable benefit, including a service, but not voluntary work, voluntarily given by a natural person who is a citizen of the Republic of Estonia or has the permanent right of residence or the status of a long-term resident in Estonia out of their assets to a political party or a member thereof for the purpose of supporting the activities of the political party.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(1¹) The board of a political party adopts a procedure for accepting donations. The procedure for accepting donations will be published on the website of the political party.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(2) A donation that does not comply with the terms and conditions laid down in subsection (1) of this section is prohibited. Above all, the following is prohibited:

- 1) anonymous donations;
- 2) donations by legal persons;
- 3) the transfer or the granting of use of goods, services or proprietary rights to a political party on conditions not available to other persons;
- 4) release from ordinary binding duties or obligations;
- 5) waiver of claims against a political party;
- 6) payment of the expenses of a political party by third parties for the political party or making concessions to the political party, unless the payment of such expenses or the making of such concessions is also available to other persons in ordinary economic activities;
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]
- 7) donation made via a natural person and at the expense of the assets of a third party;
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]
- 8) donations by aliens, except for donations by persons holding the permanent right of residence or the status of a long-term resident in Estonia.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(3) A political party is allowed to accept cash donations from a natural person to the extent of up to 1200 euros per financial year. Cash donations are immediately registered by a political party as revenue.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(4) The usual value of the object or right serves as the basis for evaluation of a non-monetary donation. If there are generally acknowledged experts for evaluation of an object, the object of a non-monetary donation will be evaluated by them. If a non-monetary donation has been evaluated below its actual value, the difference between the values will be deemed a prohibited donation.

(5) Upon submission of the annual report specified in § 12⁹ of this Act, the evaluation of the value of a non-monetary donation must be audited by an auditor who will submit an opinion regarding whether the non-monetary donation was evaluated in accordance with subsection (4) of this Act. Among other things, the opinion must contain a description of the non-monetary donation and indicate which method was used for evaluation of the non-monetary donation.

(6) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(7) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(8) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(9) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(10) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

§ 12⁴. Consequences of accepting prohibited donation

- (1) Where possible, a political party will immediately return a prohibited donation to the donor.
- (2) If the donation cannot be returned, the political party will immediately transfer the monetary donation to the state budget.
- (3) In the event of a non-monetary donation the political party will sell the prohibited donation at the market price. The income received from the sale of the donation will be immediately transferred to the state budget. If the prohibited donation cannot be sold with reasonable effort, the donation will be transferred in a manner other than the one provided for in the first sentence of this subsection. If the donation cannot be transferred, the possession of the thing will be terminated by way of relinquishing ownership. The prohibited donation will not be transferred to a member of the political party, an affiliated organisation of the political party or to a member thereof.
- (4) If the value of the prohibited donation is evaluated to be below 64 euros, the provisions of the first sentence of subsection (3) or subsection (5) of this section will not apply.

(5) Evaluation of the usual value of a prohibited donation will, upon submission of the annual report specified in § 12⁹ of this Act, be audited by an auditor who will submit an opinion regarding whether the usual value of the donation was set in accordance with subsections (3) and (4) of this Act. Among other things, the opinion must contain a description of the prohibited donation and indicate which method was used for evaluation of the usual value of the prohibited donation. If the auditor has become aware of a violation of the requirements for the evaluation of the usual value of the prohibited donation, the auditor will inform the political party funding supervision committee of the violation.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

(6) The provisions of § 12¹⁸ of this Act will not apply to the donor of a prohibited donation if, within 30 days from the day when the donor learned or had to learn of the prohibited donation, the donor submits to the political party funding supervision committee information on the prohibition of the donation in a form that can be reproduced in writing. The political party funding supervision committee will immediately inform the political party that received the prohibited donation about the circumstances.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(7) The provisions of § 12¹⁸ of this Act will not apply to the donee of a prohibited donation if, within 30 days from the day when the donee learned or had to learn of the prohibited donation, the donee submits to the political party funding supervision committee information on the prohibition of the donation in a form that can be reproduced in writing. The political party funding supervision committee will immediately inform the political party that received the prohibited donation about the circumstances.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12⁵. Current accounts of political party and candidate

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(1) A political party may hold and use only such current accounts that it has communicated to the political party funding supervision committee.

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(2) A single candidate may use only such current accounts for receiving election campaigns revenues and incurring election campaign expenses that it has communicated to the political party funding supervision committee.

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

§ 12⁶. Affiliated organisation of political party and participation in other legal persons

(1) For the purposes of this act ‘affiliated organisation of a political party’ means a foundation or a non-profit association whose founder or member the political party is and whose activities are aimed at the attainment of the goals and objectives of the political party laid down in § 1 of this Act. The requirements for political parties laid down in §§ 12¹–12⁴ of this Act also extend to the affiliated organisations of political parties. Donations of a political party to its affiliated organisation are permitted.

(2) A political party cannot be a shareholder of any other legal person.

(3) A political party may trade in securities in the securities market in accordance with the Securities Market Act.

(4) A political foundation on the European level is not an affiliated organisation of a political party for the purposes of Regulation (EC) No. 2004/2003 of the European Parliament and of the Council on the regulations

governing political parties on the European level and the rules regarding their funding (OJ L 297, 15.11.2003, pp. 1-4).

(5) A political party must inform the political party funding supervision committee of its affiliated organisations.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

§ 12⁷. Allocations from state budget

(1) A political party represented in the *Riigikogu* has the right to receive an allocation from the state budget by the fifth date of each calendar month. The size of the monthly allocation is one twelfth of the annual amount. The size of the allocation is proportionate to the number of seats obtained in the elections of the *Riigikogu*.

(2) A political party that participated in the elections of the *Riigikogu*, but did not exceed the election threshold and received at least:

- 1) 2% but less than 3% of the votes, will receive an annual allocation of 30 000 euros from the state budget;
- 2) 3% but less than 4% of the votes, will receive an annual allocation of 60 000 euros from the state budget;
- 3) 4% but less than 5% of the votes, will receive an annual allocation of 100 000 euros from the state budget.

[RT I, 05.02.2014, 1 – will enter into force on the day of commencement of the term of office of the XIII composition of the *Riigikogu*.]

(3) In the event of a merger of political parties the allocations specified in subsections (1) and (2) of this section are totalled. In the event of division of a political party, the state budget allocation is allocated to the political party being divided and the acquiring political party will not receive any allocation from the state budget. In the event of the division of a political party, the allocation is divided on the basis of the agreement contained in the contract of division of the political parties. In the event of the dissolution of a political party, the right to the state budget allocation will terminate after a dissolution entry has been made in the register, but not later than within two months after the political party made the termination decision.

(4) Amounts to be transferred to a political party are transferred to the account of the political party via the governmental authority determined by the Government of the Republic on the basis of a communication of the National Electoral Committee, which specifies the number of seats obtained by the political parties in the elections of the *Riigikogu*.

(5) In the year when the elections of the *Riigikogu* are held, the calculation of state budget allocations will be changed as of the month following the announcement of the election results.

(6) In the event of division of a political party the calculation of state budget allocations will be amended as of the month following the month of division. In the event of dissolution of a political party, the calculation of state budget allocations will be changed as of the month following the term provided for in subsection (3) of this section in accordance with the terms and conditions specified in subsections (1), (2) and (4) of this section.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

§ 12⁸. Election campaign report

(1) Political parties, election coalitions and single candidates submit to the political party funding supervision committee a report on the expenses of the *Riigikogu*, European Parliament or local authority council election campaign. The report is submitted to the political party funding supervision committee in the required form within one month from the election day. The election campaign report is published on the website of the political party funding supervision committee.

(2) A political party submits a report on the election campaign expenses of persons who ran in the list of the political party and on the election campaign expenses of affiliated organisations as well as the origins of the funds used to cover the expenses.

(3) A person who ran in the list of a political party is personally responsible for the lawfulness of their report.

(4) An election coalition submits a report on the election campaign expenses of the election coalition and persons who ran in its list as well as on the origin of the funds used to cover the expenses.

(5) A single candidate submits a report on the election campaign expenses and the origin of the funds used.

(6) An election campaign report is drawn up based on paid and outstanding expenses. Quarterly reports on expenses outstanding as of the end of the quarter are submitted to the political party funding supervision committee by the tenth date of the month following the quarter until the expenses have been paid.

(7) An election coalition specifies in the report the type of the source of revenue specified in subsection 12¹(2) of this Act, which has been used for the election campaign, as well as the loans received, the name and personal identification code or registry code of the person who provided the funds, the value of the funds, and the date of accrual of the funds.

(8) A single candidate indicates the type of the source of the funds specified in subsection 5²(3) of this Act, which was used for the election campaign. The name and personal identification of the donator, the value of the donation and the date of accrual and, with regard to personal assets, the sum of money used for the election campaign are indicated with regard to a donation. The report is submitted and disclosed in accordance with the procedure provided for in subsection (1) of this section.

(9) Expenses are recognised based on the following expense types:

- 1) advertising expenses by type (television, radio, online, outdoor and newspaper advertising, printed advertising materials);
- 2) public relations expenses;
- 3) publication expenses;
- 4) expenses of public events;
- 5) other election campaign expenses.

(10) The following is indicated in the report regarding expenses:

- 1) the date of the expense receipt;
- 2) the number of the expense receipt;
- 3) the name of the recipient;
- 4) the personal identification or registry code of the recipient;
- 5) the expense type;
- 6) the price of the expense;
- 7) the expense amount paid;
- 8) the expense amount payable;
- 9) the date of payment.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12⁹. Annual report

(1) The financial year of a political party is the calendar year.

(2) The general meeting of a political party or a body replacing it under the articles of association will approve the annual reports of the political party and submit them without the details of the principal field of activity in accordance with subsections 36 (5) and 78 (3) of the Non-profit Associations Act. A political party will submit an annual report along with the opinion of a certified auditor, provided that auditing is mandatory, by June 30 to the registration department who will publish the report in the online query system of non-profit associations and foundations.

[RT I, 21.06.2014, 8 – entry into force 01.01.2015]

(3) The obligation to audit the annual reports of a political party receiving allocations from the state budget is provided for in the Authorised Public Accountants Act.

(4) The annual report of the financial year of a political party also recognises the expenses incurred by the affiliated organisations of the political party for the purpose of attainment of the goals and objectives of the political party.

(5) The provisions of subsection 12¹(13) of this Act apply to the elimination of the deficiencies of the annual report.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(6) If the value of the net assets of a political party as of the end of the financial year has been negative for three consecutive years, the political party will request that the political party funding supervision election committee make proposals for overcoming the economic difficulties, restoring the liquidity, improving the solvency and ensuring the sustainable management of the political party.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12¹⁰. Political party funding supervision committee

(1) The political party funding supervision committee verifies whether political parties, election coalitions and single candidates adhere to the requirements provided for in this Act.

(1¹) The political party funding supervision committee advises political parties in matters of funding the political parties and, at the request of a political party, makes proposals to the political party for overcoming economic difficulties, restoring the liquidity, improving the solvency and ensuring the sustainable management of the political party.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(1²) To perform the functions arising from subsections (1) and (1¹) of this section, the political party funding supervision committee has the right to demand that a political party, an election coalition or a single candidate undergo a special audit. The political party funding supervision committee will appoint an auditor by way of drawing lots among the certified auditors entered in the register of auditors. The name of the auditor and the reason of involving the auditor will be communicated to the party to the proceedings before involving the auditor, unless the matter needs to be attended to urgently or if the notification could impede the attainment of the purpose of the audit. The expenses of the audit are covered from the budget of the political party funding supervision committee. The political party funding supervision committee will establish a more detailed procedure for appointment of auditors.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(2) The political party funding supervision committee consists of:

- 1) a member appointed by the Chancellor of Justice;
- 2) a member appointed by the Auditor General;
- 3) a member appointed by the National Electoral Committee;
- 4) a member appointed by a political party represented in the *Riigikogu*, who is not a member of the *Riigikogu* of the Government of the Republic.

(3) The person appointing the member concurrently appoints their alternate member of the committee.

(4) The term of office of a member of the committee is five years, unless the member of the committee specified in subsection (2) of this section is removed by the person who appointed them before the expiry of the term of office.

(5) A new member of the committee is appointed not later than on the tenth day before the expiry of the term of office of a member of the committee.

(6) The committee will establish its rules of procedure.

(7) The committee has a chairman and a vice chairman who are elected by the committee from among the members of the committee in the first meeting of the committee. A meeting of the political party funding supervision committee is called by the chairman or vice chairman of the previous political party funding supervision committee not later than on the seventh day following the start of the term of office of the committee.

(8) Members of the committee maintain the confidentiality of the information disclosed to them in the course of the work of the committee, which is not subject to disclosure under this Act.

(9) The Chancellery of the *Riigikogu* ensures the operations and technical service of the committee.

(10) The committee is registered in the national register of state and local authorities.

[RT I, 10.12.2010, 1 – will enter into force on the day of commencement of the term of office of the XII composition of the *Riigikogu*.]

(11) A member and a substitute member of the committee are remunerated for participating in a meeting of the committee and for performing other tasks of the committee. The hourly remuneration of a member and a substitute member of the committee is twenty-five times the hourly minimum wage established by the Government of the Republic. The procedure for remuneration is provided for in the rules of procedure of the committee.

[RT I, 26.07.2012, 1 – entry into force 07.07.2012]

§ 12¹¹. Political party funding supervision committee's precept and right to request documents

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(1) The political party funding supervision committee will make a precept to a political party, a person running as a candidate in the list of a political party, an election coalition, a person running as a candidate in the list of an election coalition or a single candidate if the person:

1) has failed to perform the obligation to submit the report required under this Act or if the report contains deficiencies;

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

2) has failed to return a prohibited donation;

3) has not recognised an accepted donation;

4) has not transferred a prohibited donation to the state budget;

5) has failed to submit the documents specified in subsection 12⁸(2) of this Act;

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

6) has failed to submit a document requested by the committee by the prescribed date.

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(2) In a precept a political party, a person running as a candidate in the list of a political party, an election coalition, a person running as a candidate in the list of an election coalition or a single candidate is required to:

- 1) within the term set by the committee, submit the required documents or report or remove the deficiencies contained in the report or in the register of donations;
- 2) transfer the donation to the state budget in one of the manners specified in subsections 12⁴(1)-(3) of this Act by the date prescribed by the committee.

(2¹) If a political party that receives allocations from the state budget or a person who ran in the list of the political party has not transferred a donation to the state budget in any of the manners specified in subsections 12⁴(1)-(3) of this Act or returned it to the donator, the government agency appointed on the basis of subsection 12⁷(4) of this Act will reduce the support paid on the basis of subsections of 12⁷(1) and (2) of this Act to the extent of the triple of the donation amount specified in the precept, but no more than to the extent of 20 per cent of the support.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(3) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(4) [Repealed – RT I, 19.03.2013, 2 – entry into force 01.04.2013]

(5) A precept is signed by the chairman or vice chairman of the political party funding supervision committee.
[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

(6) To verify adherence to this Act, the political party funding supervision committee has the right to request documents from all the persons specified in subsection (1) of this section. The documents are requested in writing, indicating the purpose and legal ground of the request and referring to the possibilities of making a precept if the document is not submitted by the prescribed date. The term granted for the submission of a document must not be shorter than ten days.

[RT I, 19.03.2013, 2 – entry into force 01.04.2013]

§ 12¹². Penalty payment and default interest

(1) In the event of failure to comply with a precept specified in clauses 12¹¹(1) 1)-3), 5) and 6) of this Act, the political party funding supervision committee may impose a coercive payment of up to 15 000 euros in accordance with the procedure provided for in the Substitutive Enforcement and Coercive Payments Act.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(2) If the precept provided for in clause 12¹¹(1) 4) of this Act is not complied with by the date specified in the precept, the political party will pay the state budget default interest at the rate of 0.85 per cent of the overdue amount per calendar day of delay.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

§ 12¹³. Appealing against precept

If a political party, a person running as a candidate in the list of a political party, an election coalition, a person running as a candidate in the list of an election coalition or a single candidate finds that a precept of the political party funding supervision committee violates their rights, the person may have recourse to the court pursuant to the procedure established in the Code of Administrative Court Procedure.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

Chapter 2² LIABILITY

[RT I, 10.12.2010, 1 - entry into force 01.04.2011]

§ 12¹⁴. Failure to inform of current account of political party

(1) The penalty for failure to inform the political party funding supervision committee of a current account of a political party is a fine of up to 300 fine units.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(2) The penalty for the same act committed by a legal person is a fine of up to 15 000 euros.

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12¹⁵. Failure to inform of current account of election coalition or single candidate

The penalty for failure by an election coalition or a single candidate to inform the political party funding supervision committee of the use of a current account for election purposes is a fine of up to 300 fine units.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12¹⁶. Failure to inform of affiliated organisation of political party

(1) The penalty for failure to inform the political party funding supervision committee of an affiliated organisation of a political party is a fine of up to 300 fine units.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(2) The penalty for the same act committed by a legal person is a fine of up to 15 000 euros.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12¹⁷. Failure to perform reporting obligation

(1) The penalty for violation of the obligation to maintain a register of donations made to a political party or failure to submit an election campaign report by a political party, an election coalition, a person running as a candidate in the list of a political party or election coalition or a single candidate is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 20 000 euros.
[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

§ 12¹⁸. Making and accepting prohibited donations

[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

(1) The penalty for making or accepting a prohibited donation is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 15 000 euros.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12¹⁹. Provision of false information and incorrect information

(1) The penalty for the intentional provision of the political party funding supervision committee with false information or incorrect information is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 15 000 euros.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

§ 12²⁰. Proceedings

(1) [Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) Extrajudicial proceedings of the misdemeanours provided for in §§ 12¹⁴–12¹⁹ of this Act are conducted by police prefectures.

(3) The misdemeanour cases provided for in §§ 12¹⁴–12¹⁹ of this Act are adjudicated by county courts.
[RT I, 05.02.2014, 1 – entry into force 01.04.2014]

Chapter 3 Implementing Provisions

§ 13. Implementation of Act

(1) [Repealed – RT I 1998, 59, 941 – entry into force]

(2) Until the elections of the VIII composition of the *Riigikogu*, political parties may be founded and registered if they have at least 200 members.

(3) Section 11 of this Act is implemented as of the date of announcement of the results of the elections of the VIII composition of the *Riigikogu*.

(4) Upon entry in the non-profit associations and foundations register of a political party which was registered earlier, the minutes of the general meeting whereby the text of the articles of association of the political party in force was adopted are appended to the application for entry in the non-profit associations and foundations register and the application is signed by the board which was elected at the general meeting.

(5) Loan agreements and credit agreements entered into by political parties until 1 January 2004 will remain in force.

[RT I 2003, 90, 601 – entry into force 01.01.2004]

(6) If a person has been included in the list of the members of several political parties, the register will identify in which political party the person has become a member the most recently and indicate the time of becoming a member in the new political party as the time of resignation from the political party in the list of members of the prior political party by 20 January 2011.

[RT I 2010, 29, 150 – entry into force 01.01.2011]

(7) The second sentence of subsection 12⁹(2) and subsection (4) of this Act apply to the reporting period of political parties, which commences on 1 January 2011.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

(8) Section 12¹⁰ of this Act will enter into force on the day of commencement of the term of office of the XII composition of the *Riigikogu*.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

(9) Members of the political party funding supervision committee will be appointed within one month after the entry into force of § 12¹⁰ of this Act. The first meeting of the political party funding supervision committee will be called by the President of the *Riigikogu*.

[RT I, 10.12.2010, 1 – entry into force 01.04.2011]

(10) Subsection 12¹⁰(11) of this Act will apply to members and substitute members of the committee retroactively as of 1 January 2012.

[RT I, 26.07.2012, 1 – entry into force 07.07.2012]

§ 13¹. [Repealed -RT I 2005, 47, 387 - entry into force 18.09.2005]

§ 14. [Omitted from this text.]