

**REPUBLIC OF LITHUANIA**  
**LAW ON POLITICAL PARTIES**

25 September 1990 No I-606

(As last amended on 6 November 2014 No XII-1292)

Variety of political parties ensures democracy of the political system of the Republic of Lithuania. Political parties unify the citizens of the Republic of Lithuania to pursue common political objectives, assist in shaping and expressing the interests and political will of the citizens of the Republic of Lithuania.

***Version as of 1 January 2015:***

Variety of political parties ensures democracy of the political system of the Republic of Lithuania. Political parties unify the citizens of the Republic of Lithuania and the citizens of other Member States of the European Union who permanently reside in the Republic of Lithuania to pursue common political objectives, assist in shaping and expressing the interests and political will of these persons.

**CHAPTER ONE**  
**GENERAL PROVISIONS**

**Article 1. Purpose of the Law**

1. This Law shall regulate founding, activities, rights, specific features of ceasing to be registered (reorganisation and liquidation) and reforming of legal persons whose legal form is political party, as well as the procedure of funding of, and control over funding of political parties.

2. This Law shall not regulate the funding of, and control over funding of the political parties which are considered to be political parties at European level pursuant to Articles 2 and 3 of Regulation (EC) No 2004/2003 of the European Parliament and of the Council of 4 November 2003 on the regulations governing political parties at European level and the rules regarding their funding (OJ 2004, special edition, chapter 1, volume 4, p. 500) with the latest amendments made by Regulation (EC) No 1524/2007 of the European Parliament and of the Council of 18 December 2007 amending Regulation (EC) No 2004/2003 on the regulations governing political parties at European level and the rules regarding their funding (OJ 2007 L

343, p. 5). This Law shall apply to political parties at European level to the extent that the Regulation referred to in this paragraph does not regulate them.

## **Article 2. Definitions**

1. '**Auditor's report of factual findings**' means a document, in which the auditor provides results of independent verification of a political campaign participant and which is prepared in accordance with the procedure laid down by this Law, in compliance with international standards on related services and according to the the terms of reference approved by the Central Electoral Commission of the Republic of Lithuania (hereinafter: 'the Central Electoral Commission') and defining the scope of work assigned to the auditor.

2. '**Auditor**' means a natural person holding the title of the certified auditor granted according to the procedure laid down by the Republic of Lithuania Law on Audit.

### *Version as of 1 January 2015:*

3. '**Citizen of any other Member State of the European Union permanently residing in the Republic of Lithuania**' means a citizen of any other Member State of the Republic of Lithuania who has acquired the right to permanently reside in the Republic of Lithuania under the conditions laid down by the Law of the Republic of Lithuania on the Legal Status of Aliens and who has been residing in the Republic of Lithuania uninterruptedly for the last five years.

4. '**Political party**' means a public legal person having its own name, established according to this Law with the aim to satisfy the interests of its members, to help citizens of the Republic of Lithuania to express their political will and to seek participation in the execution of state power and the right to self-government.

### *Version as of 1 January 2015:*

4. '**Political party**' means a public legal person having its own name, established according to this Law, with the aim to satisfy the interests of its members, to help them to express their political will and to seek participation in the execution of state power and the right to self-government.

5. '**Political party's current bank account**' means an account of the political party with the bank registered in the Republic of Lithuania or any other European Union Member State or with a branch of the bank registered in the European Economic Area and operating in the Republic of Lithuania, in which funds of the political party are kept and accrued and from which the expenses intended to perform activities of the political party as laid down by the law are covered.

6. **'Founder of a political party'** means a citizen of the Republic of Lithuania who has reached the age of 18.

*Version as of 1 January 2015:*

6. **'Founder of a political party'** means a citizen of the Republic of Lithuania who has reached the age of 18 and who establishes a political party.

7. **'Monitoring of funding of political parties'** means collection, storage, analysis and evaluation of data on funding of political parties for the purposes set out by this Law.

8. **'Person responsible for the accounting of a political party'** means a chief accountant (accountant) of the political party or a company providing accounting services under the contract.

9. **'State budget appropriations'** means the sum total of funds assigned for political parties, as fixed in the Law of the Republic of Lithuania on the Approval of Financial Indicators of the State Budget and Municipal Budgets for the Corresponding Year.

10. **'Account of state budget appropriations'** means an account of the political party with the bank registered in the Republic of Lithuania or any other European Union Member State or with a branch of the bank registered in the European Economic Area and operating in the Republic of Lithuania, in which the state budget appropriations received only in accordance with the procedure laid down by this Law are kept and accrued and from which expenses provided for in this Law are covered.

**Article 3. The right to join political parties**

Citizens of the Republic of Lithuania shall have the right to freely join political parties, participate in their activities and cancel their membership in them.

*Version as of 1 January 2015:*

**Article 3. The right to join political parties**

Citizens of the Republic of Lithuania shall have the right to freely join political parties, participate in their activities and cancel their membership in them. This right, except the right to establish political parties, shall be enjoyed by citizens of other Member States of the European Union who permanently reside in the Republic of Lithuania and who are not members of the parties or political organizations of other countries.

**Article 4. Grounds of activities of political parties**

1. A political party shall act in compliance with the Constitution of the Republic of Lithuania (hereinafter: 'the Constitution'), the Civil Code of the Republic of Lithuania

(hereinafter: 'the Civil Code'), this Law and other laws of the Republic of Lithuania, other legal acts, its own statute and programme.

2. Political parties and political organisations of other states, their branches may not be founded and act within the territory of the Republic of Lithuania.

3. It shall be prohibited to establish and operate the political parties whose founding documents or programme-related documents propagate or who practise national, racial, religious, or social inequality and hatred, methods of authoritarian or totalitarian rule, forcible seizure of power, war and violence propaganda, violations of human rights and freedoms, public order, other ideas and actions conflicting with the Constitution, laws of the Republic of Lithuania and inconsistent with universally-recognized rules of international law.

4. The political party's bodies and its seat must be located within the territory of the Republic of Lithuania.

## **CHAPTER TWO**

### **POLITICAL PARTY FOUNDING, REGISTRATION AND CEASING TO BE REGISTERED**

#### **Article 5. Founding of political parties**

1. Citizens of the Republic of Lithuania who have reached the age of 18 may be founders and members of a political party.

##### ***Version as of 1 January 2015:***

1. Citizens of the Republic of Lithuania who have reached the age of 18 may be founders and members of a political party. Citizens of other Member States of the European Union who permanently reside in the Republic of Lithuania, have reached the age of 18 and who are not members of the parties or political organizations of other countries may be only members of a political party.

2. Founders of a political party shall become members thereof as of the registration of the political party in the Register of Legal Entities. At the same period of time a citizen of the Republic of Lithuania may be a founder or a member of only one political party.

##### ***Version as of 1 January 2015:***

2. Founders of a political party shall become members thereof as of the registration of the political party in the Register of Legal Entities. At the same period of time a citizen of the Republic of Lithuania may be a founder or a member of only one political party registered in

the Republic of Lithuania. At the same period of time a citizen of any other Member State of the European Union who permanently resides in the Republic of Lithuania may be a member of only one political party registered in the Republic of Lithuania.

3. In order to establish a political party it shall be necessary that the political party would have not less than two thousand founders in the Republic of Lithuania. They must, at their own or their representatives' congress (meeting, conference), adopt a statute, a programme of the political party and elect governing bodies of the political party as well as take a decision regarding the seat of the political party. A founder may, in accordance with the procedure laid down by the Civil Code, authorise any other person to represent him in a founding congress (meeting, conference) of the political party. One founder may, in accordance with the powers granted to him, represent not more than ten other founders.

#### **Article 6. Founding document of a political party**

1. A political party shall act in compliance with its statute. The statute shall be a founding document of a political party.

2. The statute of a political party must specify:

- 1) name of the political party;
- 2) legal form of the political party - political party;
- 3) procedure for changing the seat of the political party;
- 4) objectives of the political party. The objectives must be defined in a clear and comprehensive manner by indicating the fields and types of the activities);
- 5) conditions of and procedure for joining the political party and withdrawing, expelling from it;
- 6) rights and duties of political party members;
- 7) procedure for fixing, paying and using political party membership fees;
- 8) procedure for establishing, terminating activities of a political party branch;
- 9) competence, periodicity of a congress (meeting, conference) of the political party, as well as the procedure for convening it and taking decisions;
- 10) collegial governing bodies of the political party, their competence, the procedure for electing and recalling them, the period of time for which the collegial governing bodies may be elected, the procedure for taking their decisions;
- 11) procedure for electing and recalling the leader of the political party, the period of his competence for which he may be elected;
- 12) procedure of accountability of the governing bodies of the political party to a congress (meeting, conference) and the procedure of control over their activities;

- 13) procedure for changing the statute and programme of the political party;
- 14) symbols of the political party, if the political party is planning to have them;
- 15) procedure of control of the use of assets and funds of the political party;
- 16) duration of activities of the political party, if it is limited;
- 17) political party ceasing to be registered.

3. The statute may also provide for other provisions of activities of a political party that are in compliance with the Constitution, the Civil Code, this Law and other laws.

4. The statute of a political party, which is being founded, must be signed by a representative authorised by the founders of the political party. The amended statute of the founded political party shall be signed by the leader of the political party.

5. The authenticity of the signatures of the persons who have signed the statute of a political party shall not be notarised.

#### **Article 7. Branches of political parties**

Political parties may set up branches, representative offices and other organisational units. Branches, representative offices and other organisational units of a political party shall not be legal persons. Branches and representative offices of a political party shall operate in accordance with regulations approved by that political party. Having set up a branch or a representative office, a political party must, within 30 days from the setting-up, submit an application in the set form requesting to register the branch or representative office in the Register of Legal Entities in accordance with the procedure laid down by the regulations of the Register of Legal Entities. The procedure for setting up and liquidating other organisational units as well as their functions shall be defined by the statute of a political party.

#### **Article 8. Registration of political parties**

1. Political parties shall be registered in the Register of Legal Entities.

2. The regulations of the Register of Legal Entities shall enumerate the documents which must be submitted for registering a political party in and removing its entry from the Register, lay down the procedure for registering a political party in and removing its entry from the Register, recording changes in data and amendments of the statute of the political party.

3. Reliability of the data submitted by political parties to the Register of Legal Entities, compliance of statutes, programmes or their amendments with the requirements of laws shall be attested and the documents confirming that a political party may be registered

because the requirements set out by this Law have been implemented and the circumstances provided for in this Law have emerged shall be written out by the Ministry of Justice of the Republic of Lithuania (hereinafter: 'the Ministry of Justice') within 30 days from the day of receipt of all the documents and data specified in the regulations of the Register of Legal Entities.

4. In the event of failure to present all the documents and data specified in the Register of Legal Entities, the Ministry of Justice shall, not later than within 15 days from the day of receipt thereof, inform in writing a representative authorised by the founders of the political party, indicating the deficiencies to be remedied. When all missing documents and data are submitted, a period of 30 days shall be counted anew from the day of submission of these documents and data.

5. The Ministry of Justice shall refuse to attest the reliability of the submitted documents and the compliance of the statute, programme of a political party or their amendments with the requirements of laws, if the purposes, objectives and methods of activities of the political party indicated in its statute, programme or the amendments thereof conflict with the Constitution, the Civil Code, this Law and other laws, and the presented data are unrealistic. When verifying the reliability of the submitted data or attesting the compliance of the statute, programme, their amendments with the requirements of laws shall have the right to appeal to other state institutions and receive conclusions from them.

6. Refusal of the Ministry of Justice to attest the reliability of the data submitted by a political party, the compliance of the statute, programme, and amendments thereof with the requirements of laws may be appealed against to the court in accordance with the procedure laid down by the law.

7. Political parties shall be deemed to be founded as of their registration in the Register of Legal Entities.

8. Each year but no later than by 1 March and by October 1, a political party must, in accordance with the procedure laid down by the Government of the Republic of Lithuania (hereinafter: 'the Government'), submit to the Ministry of Justice a list of members of the political party. If a political party was established after March 1, this party does not need to submit a list of its members with respect to elections which will take place prior to March 1 of the next year. The list of members of a political party submitted to the Ministry of Justice must specify the name, surname, personal number, residence address of each member of the political party. These data must be confirmed by the signature of the leader of the political party or a person authorised by him. A computer media containing the said lists shall also be submitted to the Ministry of Justice. The Ministry of Justice shall check the lists of members

of the political parties and shall, no later than by April 1 and November 1 of each year, notify the Central Electoral Committee if the number of the members of the political party meets the requirements of this Law.

***Version as of 01 January 2015:***

8. Each year but no later than by 1 March and by October 1, a political party must, in accordance with the procedure laid down by the Government of the Republic of Lithuania (hereinafter: 'the Government'), submit to the Ministry of Justice a list of its members. The list of the members of the political party submitted to the Ministry of Justice must specify the name, surname, personal number, residence address of each member of the political party, and if a member is a citizen of any other Member State of the European Union who permanently resides in the Republic of Lithuania, his citizenship must be also specified in the list. These data must be confirmed by the signature of the leader of the political party or a person authorised by him. The Ministry of Justice shall check the lists of members of the political parties and shall, no later than by April 1 and November 1 of each year, notify the Central Electoral Committee if the number of the members of the political party meets the requirements of this Law.

***Supplemented as of 1 January 2015:***

9. If a political party fails to submit the list of its members within one year in accordance with the procedure laid down in paragraph 8 of this Article, the Ministry of Justice shall notify the administrator of the Register of Legal Entities about this fact and the latter shall initiate the liquidation of the political party in accordance with the procedure laid down by Article 2.70 of the Civil Code,

**Article 9. Political party reform and ceasing to be registered**

1. Political parties shall be reformed, cease to be registered (shall be reorganized or liquidated) in accordance with the procedure laid down by the Civil Code.

2. A decision to reorganise or liquidate a political party shall be taken by a congress (meeting, conference) of the political party or by the court in the cases set out by the law.

***Version as of 1 January 2015:***

2. A decision to reorganise or liquidate a political party shall be taken by a congress (meeting, conference) of the political party or by the court in the cases set out by the law. In the presence of the circumstances provided for in Article 2.70 of the Civil Code, a political party may be liquidated by the decision of the administrator of the Register of Legal Entities.

3. When reorganising a political party by way of consolidation or division, where the conditions of reorganisation have been carried out, the political party shall, having

discontinued its activities following the reorganization, submit to the Ministry of Justice the documents for removing the party's entry from the Register, and a new political party which was founded during the reorganization and which is a successor to the rights of the political party which discontinued its activities shall submit the documents for its registration in the Register. The entry of a political party which discontinued its activities shall be removed from the Register and a new political party, which was founded during the reorganisation, shall be registered in the Register simultaneously.

4. When reorganising a political party by way of joining or parcelling out, where the conditions of reorganization have been carried out, the political party which joined another political party and which discontinued its activities shall submit to the Ministry of Justice the documents for removing its entry from the Register, and the political party which continues its activities and which takes over the rights and duties of the political party which discontinued its activities shall submit documents concerning the registration of amendments of the data and the founding documents (if they have been amended). The entry of the political party which discontinued its activities shall be removed from the Register and the amendments of the data and the founding documents of the political party which continues its activities shall be recorded simultaneously.

5. If the number of members left in a political party is less than required for founding a political party, the political party must, within 30 days, notify the Register of Legal Entities about such decrease in accordance with the procedure laid down by the regulations of the Register of Legal Entities. A political party shall be liquidated in accordance with the procedure laid down by the Civil Code, if within six months after the decrease in the number of members the members of the political party did not decide to reorganise or reform the political party.

***Version as of 1 January 2015:***

5. If the number of members left in a political party is less than required for founding a political party, the political party or the Ministry of Justice must, within 30 days after having established in accordance with the procedure laid down in Article 8(8) of this Law that the number of political party members does not satisfy the requirements of this Law, notify the administrator of the Register of Legal Entities about such decrease in accordance with the procedure laid down by the regulations of the Register of Legal Entities. A political party shall be liquidated in accordance with the procedure laid down by the Civil Code, if within six months after the decrease in the number of members the members of the political party did not decide to reorganise or reform the political party.

## **CHAPTER THREE**

### **GUARANTEES OF ACTIVITIES OF POLITICAL PARTIES**

#### **Article 10. Freedom of activities of political parties**

All political parties shall act freely and independently within the territory of the Republic of Lithuania. State and municipal institutions and agencies, their officers, other legal and natural persons shall be prohibited from interfering in internal affairs of political parties.

#### **Article 11. Restrictions of activities of political parties**

1. An organisational structure of political parties shall be based only on the territorial principle. Branches of political parties may not be established and operate in workplaces.

2. In the cases provided for in the Constitution and laws the persons referred to in these laws may not be members of political parties or must suspend their membership in a political party.

3. A person whose membership in a political party is suspended may not elect and be elected to the bodies of the political party and its branches, carry out their orders or participate in activities of the political party in any other way.

#### **Article 12. Declaration of decisions of political party bodies null and void**

Decisions of political party bodies may be declared null and void in accordance with the procedure laid down by the Civil Code.

#### **Article 13. Right to participate in elections to the office of the President of the Republic, the Seimas, municipal councils and the European Parliament**

All political parties shall have the equal rights to participate in elections to the office of the President of the Republic, the Seimas, municipal councils and the European Parliament. During elections all political parties participating in elections as well as their candidates for members of the Seimas, the European Parliament, municipal councillors and President of the Republic shall be granted the right to make use for free of the time of the Lithuanian National Radio and Television; they shall also be provided with equal opportunities to make use of any other media in accordance with the procedure laid down by the elections laws of the Republic of Lithuania.

#### **Article 14. Right to form coalitions, unions of political parties**

Political parties shall have the right to form coalitions, unions of political parties.

**Article 15. Right to disseminate information about activities of a political party**

1. Political parties shall enjoy the right to freely disseminate information in writing, orally or in any other way about their activities, to propagate ideas, purposes and a programme.

2. Political parties shall enjoy the right to establish the media and to make use of them.

**Article 16. Right to organise mass events**

Political parties shall, in accordance with the procedure laid down by laws of the Republic of Lithuania, have the right to hold meetings, pickets, demonstrations, processions, marches and other peaceful assemblies according to the procedure established by laws of the Republic of Lithuania.

**Article 17. Right to carry out other activities**

Political parties shall enjoy the right to engage in publishing, distribution of printed matter and party symbols, management, use and disposal of the property belonging by the right of ownership, organisation of political and cultural events (lectures, exhibitions, etc.) and other activities; money received from such activities may be used only to pursue the purposes of the political party as specified in the statute of the political party.

**Article 18. International relations of political parties**

Political parties shall have the right to maintain relations with political parties of other countries, international and other organizations.

**CHAPTER FOUR****SOURCES OF FUNDING OF POLITICAL PARTIES****Article 19. Sources of funding of political parties**

1. Sources of funding of a political party shall be limited to:

- 1) membership fees of the political party;
- 2) state budget appropriations;
- 3) funds received by the political party from its other activities referred to in Article 17 of this Law;

4) loans received by the political party from banks registered in the Republic of Lithuania or another European Union Member State or branches of banks registered in the European Economic Area and operating in the Republic of Lithuania;

5) interest on the funds kept in the bank account;

6) an amount equal to one per cent of the annual income tax paid by a Lithuanian resident who voluntarily allocates the said amount for the political campaign;

7) donations for funding a campaign of the political party made by individuals having the right to donate, received by the political party during its political campaign.

2. Membership fees of a political party member shall be the following:

1) an initial membership fee;

2) a periodic membership fee.

3. The statute of a political party may set other membership fees which are not specified in paragraph 2 of this Article.

4. A political party member may, during one year, pay to a political party a membership fee, which does not exceed the amount of 20 average monthly earnings valid in the fourth quarter of the previous calendar year (hereinafter: 'AMEs'). During a calendar year the total amount of membership fee paid by one party member for the political party may not exceed 10 per cent of the amount of the annual income declared by the party member for the previous calendar year. If the total amount of membership fee paid by one party member for the political party exceeds 1200 litas during a year, a party member must declare his assets and income. Before accepting a political party membership fee, the amount of which exceeds 1200 litas during a year, the person responsible for accounting of the political party shall check on the information system of the Central Electoral Commission whether the membership fee meets the amount requirements of this Law. A membership fee meeting eligibility criteria of this Law shall only be accepted. A membership fee which does not meet the requirements of this Law shall be considered a prohibited funding source of the political party.

**Version of paragraph 4 as of 1 January 2014:**

4. A political party member may, during one year, pay to a political party a membership fee, which does not exceed the amount of 20 average monthly earnings valid in the fourth quarter of the previous calendar year (hereinafter: 'AMEs'). During a calendar year the total amount of membership fee paid by one party member for the political party may not exceed 10 per cent of the amount of the annual income declared by the party member for the previous calendar year. If the total amount of membership fee paid by one party member for the political party exceeds 360 euros during a year, a party member must declare his assets

and income. Before accepting a political party membership fee, the amount of which exceeds 360 euros during a year, the person responsible for accounting of the political party shall check on the information system of the Central Electoral Commission whether the membership fee meets the amount requirements of this Law. A membership fee meeting eligibility criteria of this Law shall only be accepted. A membership fee which does not meet the requirements of this Law shall be considered a prohibited funding source of the political party.

5. A political party shall record its members who have paid the membership fee, indicating the amount of the paid membership fee. A record journal of the political party membership fee together with the set of the annual financial statements shall be submitted to the Central Electoral Commission.

6. Funds of the political party received from the sources specified in paragraph 1 of this Article, except Point 2 of Paragraph 1 of this Article, shall be kept in the current bank account of the political party.

7. Political parties must keep the state budget appropriations received in accordance with the procedure laid down in Article 20 of this Law and make payments from the account of state budget appropriations, except for the cases when the said funds are used to finance a political campaign of the political party.

8. Obligations discharged by the guarantor for the political party to the banks registered in the Republic of Lithuania or another European Union Member State or a branch of a bank registered in the European Economic Area and operating in the Republic of Lithuania shall not be regarded as the source of funding of a political party.

9. It shall be prohibited to finance political parties with funds other than specified in this Article.

10. Upon receipt of funds from other funding sources than provided for in this Law, and when the source of funding is known, the person responsible for accounting of a political party shall, within five working days from the date of the receipt of funds, transfer the funds back to the person stating the reason for the refusal to accept the funds. In the event of failure to identify the source of funding within ten working days, the person responsible for the accounting of the political party shall transfer the funds to the state budget.

## **Article 20. State budget appropriations for political parties**

1. State budget appropriations for political parties shall be provided for in the Law of the Republic of Lithuania on the approval of financial indicators of the state budget and

municipal budgets for each year and shall be allocated through a separate budget programme implemented by the Central Electoral Commission.

2. A total sum of state budget appropriations for political parties shall be fixed in the state budget.

3. A certificate on the conformity of political parties to statutory requirements concerning the number of political party members shall be submitted to the Central Electoral Commission by the Ministry of Justice not later than by 1 April and 1 November of each year.

4. Where the Central Electoral Commission recognizes that a political party has grossly violated this Law, or has made a gross violation of the funding of a political campaign, such political party shall not be allocated state budget appropriations for a period of up to two years counting from the date of entry into force of the decision. The state budget appropriations which are not allocated due to the said reason shall be returned to the state budget.

5. State budget appropriations for political parties may be used only for the following:

1) to fund a political campaign;

2) to pay an election deposit;

3) to purchase current and fixed assets;

4) to settle with employees;

5) taxes and other contributions to the state budget, compulsory state social insurance contributions and compulsory health insurance contributions;

6) to cover expenses related to the provision of services;

7) to cover arrears of the political party's political campaign;

8) to repay loans taken by the political party and intended for the expenses referred to in Points 3, 4, 5 and 6 of this paragraph.

6. State budget appropriations may not be used for the expenses referred to in Points 3, 4, 5, 5 and 8 of paragraph 6 of this Article, if such expenses were incurred when carrying out the activities provided for in Article 17 of this Law. The accounting of the activities provided for in Article 17 of this Law shall be managed separately from the accounting of the use of the state budget appropriations.

7. Liabilities of third persons may not be guaranteed, secured with state budget funds; damage caused by third persons also may not be covered with state budget funds.

8. The political party must specify the use of state budget appropriations in the report on the use of state budget appropriations which is submitted together with a set of financial statements of the political party.

9. The state budget appropriations which have not been used during a year shall remain in the political party's account of state budget appropriations and may be used next year for the funding of the activities specified in paragraph 5 of this Article.

10. The state budget appropriations account shall not be subject to any interim measures.

**Article 21. Procedure of calculation of the amount of state budget appropriations to fund activities of a political party, distribution and payment of such state budget appropriations**

1. Political parties, which are registered in the Register of Legal Entities in accordance with the procedure laid down by the law and which satisfy statutory requirements regarding the number of political party members and the reform or liquidation procedure has not been initiated in respect of them, shall be entitled to state budget appropriations to fund activities of the political party.

2. State budget appropriations designated for funding activities of the political party shall be allocated to those political parties satisfying the criteria set out in paragraph 1 of this Article which received not less than 3 per cent of all the votes cast by the voters for the candidates of the political parties in those elections to the Seimas, municipal councils, the European Parliament according to the results of which these state budget appropriations are allocated.

3. State budget appropriations designated for funding activities of political parties shall be allocated according to the valid results of the elections to the Seimas, municipal councils, the European Parliament (rerun election, by-election and run-off voting) in which the powers of the elected candidates have not been terminated or upon their termination a vacant place was occupied without holding elections:

1) according to the results of the last election to the Seimas, municipal councils, the European Parliament in a multi-member constituency. In the case of the coalition list of nominated candidates, the number of the received votes shall be distributed to the political parties in proportion to the number of the candidates on the coalition list;

2) according to the results of the last Seimas election, the last rerun election, the last by-election in the single-member constituencies. If several political parties nominated a candidate, the votes received by the candidate shall be distributed equally among the political parties which nominated him;

3) according to the results of the last run-off voting in the single-member constituencies of the election to the Seimas. If upon the election of a Seimas member at the

election, rerun election or by-election, the run-off voting has not been held, then the results of the last election, rerun election or by-election in the particular single-member constituency shall be taken instead of the results of the run-off voting. If several political parties nominated a candidate, the votes received by the candidate shall be distributed equally among the political parties which nominated him.

4. The amount of state budget appropriations for funding activities of a political party, which is allocated for that political party, shall be determined in accordance with the following procedure:

1) by summing up only the votes of voters cast for the candidates of those political parties for which state budget appropriations may be allocated under paragraph 2 of this Article for funding activities of the political party, the number of all votes is determined;

2) a six-month financial coefficient of one voter's vote is established by dividing the half of the state budget appropriations designated for funding activities of the political party by the number of votes of all the voters;

3) the six-month state budget appropriations allocated for the political party to fund activities of the political party is determined by multiplying a six-month financial coefficient of one voter's vote by the number of votes of the voters who cast their votes for the candidates of this political party.

5. The amount of state budget appropriations allocated for the political party to fund activities of the political party shall be determined by the Central Electoral Commission in accordance with the procedure laid down by this Article; the Commission shall, not later than by 15 April and 15 November of each year, transfer the said amount to the political party's account of state budget appropriations.

#### **Article 22. Assets and funds of political parties**

1. A political party may have current and fixed assets to pursue the purposes of the political party as specified in its statute.

2. Assets and funds of a political party may not be distributed to its members.

3. A political party shall cover liabilities related to its political campaign by the funds of the political party.

4. Political parties shall enjoy the right to make donations for political campaigns of nominated candidates, lists of candidates or referendums.

### **CHAPTER FIVE**

#### **FINANCIAL ACCOUNTING AND CONTROL**

**Article 23. Financial accounting**

1. Management of accounting of a political party shall be regulated by this Law, the Accounting Law of the Republic of Lithuania and other legal acts.

2. Upon the end of the year a person responsible for the accounting of the political party shall prepare a set of financial statements of the political party. The annex shall be prepared together with a set of financial statements of the political party, i.e. a report on the use of state budget appropriations.

3. A set of financial statements of the political party shall consist of the following financial statements:

- 1) balance sheet;
- 2) performance report;
- 3) explanatory note of the financial statements.

4. A set of financial statements of the political party and the annex thereto specified in paragraph 2 of this Article shall be signed by the chair of a political party or the person appointed by the management body of a political party responsible for the accounting of a political party.

5. Each year but not later than by 15 March, political parties shall submit to the Central Electoral Commission an approved set of financial statements of the political party for the previous calendar year and the annex thereto specified in paragraph 2 of this Article as well as the auditor's report on findings, if such a report is mandatory, and the record journal of the political party membership fee. When necessary the Central Electoral Commission shall have the right to get access in accordance with the procedure laid down by legal acts to the documents substantiating the data provided in a set of financial statements of the political party.

**Article 24. Control of funding of political parties**

1. Funding of political parties shall be controlled by the Central Electoral Commission and other institutions within their remit in accordance with the procedure laid down by the law.

2. The Central Electoral Commission shall:

- 1) approve model forms of the statement on the use of state budget appropriations and the record journal of the political party membership fee, as well as the description of the procedure for filling out and submitting the above mentioned documents;

2) after consultation with the Lithuanian Chamber of Auditors, approve the terms of reference for audit firms carrying out inspection of a political party, determining the scope of work carried out by the auditor;

3) control the compliance by political parties with the requirements of this Law and propose to hold liable for violations of this Law or to appeal to other institutions whose competence granted by the law allow to inspect the compliance with the requirements laid down by the law;

4) create conditions and be responsible that a set of financial statements of the political parties and the annex thereto specified in Article 23(2) of this Law would be posted on its website immediately after the receipt of the data, would be updated and that the said data would conform to the obtained information.

3. The Central Electoral Commission shall be responsible for continuous timely provision of information about violations of funding of political parties to the Special Investigation Service of the Republic of Lithuania, and to the Prosecutor General's Office of the Republic of Lithuania.

4. The National Audit Office of Lithuania shall, in accordance with the procedure laid down by laws and other legal acts, carry out the audit of the use of state budget appropriations allocated to political parties.

### **Article 25. Independent inspection of political parties**

1. A political party which during a calendar year has received the sum of revenue exceeding the amount of 200 AMEs must conclude with an audit firm or an auditor a contract to inspect the political party.

2. The inspection of the political parties which during a calendar year have received the sum of revenue lower than the amount of 200 AMEs shall be organised by the Central Electoral Commission. In order to carry out independent inspection of a political party referred to in this paragraph the Central Electoral Commission shall have the right to purchase services of audit firms or auditors in accordance with the procedure laid down by legal acts.

3. The auditor:

1) must carry out inspection of the political party or in compliance with legal acts of the Republic of Lithuania according to the terms of reference of the Central Electoral Commission which sets the scope of the work performed by the auditor;

2) shall have the right to obtain from the political party all the documents necessary to carry out inspection of the political party.

4. Political parties must cooperate with the auditor carrying out inspection and present data, documents and other information necessary to carry out inspection.

**Article 26. Publicity of funding**

1. A set of financial statements of the political party and the annex thereto specified in Article 23(2) of this Law, and the auditor's report of factual findings shall be public.

2. Every person who under the Republic of Lithuania on Funding of, and Control Over Funding of, Political Parties and Political Campaigns may fund political campaign participants, or a representative of the public information producer or disseminator, having presented the document confirming this, shall enjoy the right to get access at the Central Electoral Commission to a set of financial statements of any political party as well as the annex thereto and to announce their data in the media.

**Article 27. Monitoring of funding of political parties**

1. Monitoring of political party funding shall be performed on a regular basis.

2. The Central Electoral Commission shall perform the monitoring of political party funding.

3. The methods of and the procedure for monitoring political party funding shall be laid down by the Central Electoral Commission.

4. When performing the monitoring of political party funding, the Central Electoral Commission shall have the right to purchase monitoring services of political party funding in accordance with the procedure laid down by legal acts.

5. The Central Electoral Commission shall constantly announce on its website the summarised data on monitoring of political party funding. Control institutions shall within their remit, be provided with detailed data on the monitoring of political party funding and a political party shall be provided only with the data on its activities.

**CHAPTER SIX**

**LIABILITY OF A POLITICAL PARTY**

**Article 28. Liability of a political party**

A political party shall be liable for its obligations with its assets that belong to it by the right of ownership. A political party shall not be liable for its members' obligations, and its members shall not be liable for the political party obligations.

**Article 29. Investigation of activities of a political party**

1. Investigation of activities of a political party shall be performed in compliance with the provisions of Chapter X of Book Two of the Civil Code which apply to the extent the investigation of activities of a political party is not regulated otherwise by this Law.

2. The prosecutor shall have the right to request the court to appoint experts so that they investigate whether a political party, its management bodies or their members have acted adequately.

3. The following actions of a political party shall be considered inadequate when:

1) the political party takes decisions to use for the political party's activities the funds received from the impermissible sources of political party funding;

2) a political party, its governing bodies or their members conclude transaction of political party funding by violating the requirements of this Law.

4. If it is established that activities of a political party is inappropriate, the court may apply one of the following measures:

1) to temporarily terminate the powers of members of the governing bodies of the political party;

2) to obligate the political party, its governing bodies or their members to carry out specific actions or not to carry out them;

3) to liquidate the political party.

**Article 30. Gross violations of this Law**

1. The following shall be considered to be gross violations of this Law:

1) submission of knowingly false data in a set of financial statements of the political party;

2) use of state budget appropriations not in accordance with the designation set out in this Law;

3) loss of the documents subject to safekeeping, other activities because of which it is impossible to determine whether a set of financial statements of the political party is accurate.

2. The Central Electoral Commission shall take a decision whether or not a political party has grossly violated this Law.

3. A political party shall have the right to appeal to the Supreme Administrative Court of Lithuania against the adopted decision, referred to in paragraph 2 of this Article, within 14 days after the adoption of such decision.

**Article 31. Liability**

Persons who have violated this Law shall be held liable under this Law and other laws.

**Article 32. Disputes over violations of this Law**

Disputes with regard to violations of this Law shall be resolved in accordance with the procedure laid down by the law.