

## ACT AMENDING THE POLITICAL PARTIES ACT (ZpolS-F)

### Article 1

In the Political Parties Act (Official Gazette of the Republic of Slovenia, no. 100/05 – official consolidated version, 103/07 and 99/13), Article 21 (2) is amended as follows:

“Apart from the funds from Articles 23 and 26 of this Act, a Party may also acquire up to 50% of funds from the state budget – these are funds which have been earmarked in the financial plan of the National Assembly of the Republic of Slovenia, pursuant to the act governing the deputies of the National Assembly of the Republic of Slovenia, and are intended for additional expert assistance to the work of deputy groups. In order to obtain the earmarked funds, the Party and the National Assembly of the Republic of Slovenia shall sign a contract upon the proposal by the head of the group of the Party's deputies, setting the amount of earmarked funds. The funds will be paid out to the Party in line with the regulations on the implementation of the budget. The contract from this paragraph is not subject to the act governing public procurement.”

### Article 2

Article 22 (1) is amended as follows:

“Natural persons may make contributions to the Party. A natural person's contribution in cash in the year covered by the annual report of the Party may reach the maximum amount set by the act governing the fiscal procedure regarding the obligation to transfer payments and income to transaction accounts, while any higher amounts must be transferred as credit transfers or directly debited from the payment account of the contributor via a bank, savings-bank or any other legal entity performing payment services in line with the regulations governing payment services (hereinafter referred to as: payment services providers). In order to ensure the legality of financial operations of the Party pursuant to this Act, when contributing an amount to the Party a natural person shall inform the party not only about the amount donated, but also of his/her name, surname, date of birth and address.”

In paragraph 5, a new third sentence is added after the second sentence, as follows:

“In order to ensure the legality of financial operations of the Party pursuant to this Act, the loan agreement shall include not only the name, surname, amount, interest rate and maturity period, but also the date of birth and address of the natural person.”

In paragraph 7, the words “tax number” are deleted.

In paragraph 8, the words “of the recipient” are added after the words “payment services providers,” and the words “(name, surname, tax number and address of the natural person or self-employed person, and information about the name/title, registration number, place of establishment and business address of the legal entity or sole-entrepreneur) are replaced with the words “(name, surname and number of the payment account of the natural person or self-employed person, and information about the name/title and the number of payment account of the legal entity or sole-entrepreneur)”

A new paragraph 10 is added, as follows:

“For the purpose of meeting the obligations from the previous paragraph, a Party may obtain the information by using a standardised form prescribed by the Minister responsible for internal affairs for the payment service providers, as to whether the natural person, who is not a member of the Party but has made a contribution to the Party, is a citizen of the Republic of Slovenia, from the body managing the Central Population Register, by submitting the name, surname, date of birth and address of this natural person. The body managing the Central Population Register shall communicate the information from the previous sentence to the Party within five days from receiving the request.”

### **Article 3**

Article 24b (3) is amended as follows:

“For the purpose of the audit, the Court of Audit shall collect personal data which allow identification (full name, personal identification number – EMŠO or tax number, citizenship and address of the natural person or self-employed person), directly from the persons from the previous paragraph, from the register of transaction accounts kept by AJPES, from the tax register kept and run by the Tax Administration of the Republic of Slovenia, and from the personal database of the Ministry responsible for internal affairs.”

A new paragraph 6 is added, as follows:

“If the Court of Audit establishes in its audit report that the Party has received contributions from natural persons contrary to this Act and failed to assign them for humanitarian purposes pursuant to Article 22 (9) of this Act, the Court of Audit shall set a new 30-day deadline for the Party to fulfil its obligations.”

### **Article 4**

In Article 25, a new second paragraph is added, as follows:

“For the purpose of financing the election campaign and on the basis of a common agreement, Parties may transfer funds from their own transaction account to the transaction account of the Party organising the election campaign for a joint list of candidates or a joint candidate, when those Parties propose a joint list of candidates or a common candidate. The Party organising the election campaign shall transfer the whole amount received into a separate transaction account intended for the election campaign. A Party which has received a partial compensation of costs for the election campaign may transfer the compensation to the transaction account of other Parties from this paragraph, in line with a written agreement.”

### **Article 5**

The wording of Article 28 is amended as follows:

“A fine of 6,000 to 30,000 EUR shall be imposed on a Party which:

1. operates in the sense of Article 1 of this Act and has its registered office abroad (Article 3, paragraph 1),
2. operates in, or incorporates its own organisation units into companies, institutes and other organisations and state bodies (Article 3, paragraph 2),

3. operates as a military or an armed association (Article 3, paragraph 3).

A fine of 1,500 to 4,000 EUR shall be imposed on the person responsible from the Party committing the offence from the previous paragraph.

A fine of 4,200 to 21,000 EUR shall be imposed on a Party which:

1. does not assign its excess income for humanitarian purposes within 30 days upon adopting the financial report on its operations for the preceding year (Article 21, paragraph 4),
2. draws funds, receives contributions or any other assets from prohibited sources without assigning them for humanitarian purposes within 30 days from the receipt of those funds (Article 21, paragraph 7, and Article 25 in relation to Article 22, paragraph 9),
3. receives contributions in cash exceeding the amount set on the basis of the Act regulating the tax procedure with regard to the obligation to transfer payments and revenue on transaction accounts, or receives an amount, through the payment service provider, exceeding the amount stipulated by the act regulating the tax procedure with regard to the obligation to transfer payments and revenue on transaction accounts which are not paid as credit transfers and are not directly debited from the payment account of the contributor, and fails to assign these amounts to humanitarian reasons within the additional 30-day deadline set by the Court of Audit in its audit report (Article 22, paragraph 1, in connection with Article 24b, paragraph 6),
4. fails to sign a written contract with a natural person who performs services for or sells goods to the Party (Article 22, paragraph 3),
5. within one year receives from the same natural person contributions exceeding the amount of 10 average gross monthly salary payments, and fails to assign the surplus for humanitarian purposes within the additional 30-day deadline set by the Court of Audit in its audit report (Article 22, paragraph 4, in connection with Article 24b, paragraph 6),
6. does not acquire a loan under the conditions laid in Article 22 (5) of this Act,
7. fails to include in the annual report of the Party the data from Article 22 (6 and 7) of this Act,
8. fails to fulfil its obligations from Article 24 (3) and Article 24a (2) of this Act,
9. fails to submit, upon request by the Court of Audit, clarifications, data or documents necessary to carry out the audit, and does not give access to its business ledgers and records (Article 24b, paragraph 2).

A fine of 450 to 900 EUR shall be imposed on the person responsible from the Party that committed an offence from the previous paragraph.”

## **Article 6**

In Article 28c (1), point 1, the words “in cash” following the words “contribution to the Party” are deleted.

In point 2, following the word “Act”, the following words are added: “or fails to include in the written contract data from Article 22, (5) of this Act.”

#### **Article 7**

Article 29a is deleted.

#### **FINAL PROVISION**

#### **Article 8**

This Act shall enter into force the following day after the publication in the Official Gazette of the Republic of Slovenia.

No. 000-02/14-7/11

Completed in Ljubljana, on the 12<sup>th</sup> day of June, 2014

EPA 1964-VI

National Assembly of the Republic of Slovenia

Janko Veber

Speaker