

# Political Parties Act

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Text in Bulgarian: Закон за политическите партии

## Chapter One GENERAL PROVISIONS

**Article 1.** This Act regulates the establishment, registration, organization, activities and dissolution of political parties.

**Article 2.** (1) (Amended and supplemented, SG No. 6/2009) Political parties shall be voluntary associations of citizens holding electoral rights according to Bulgarian legislation.

(2) Political parties shall contribute to the formation and expression of the political will of citizens through elections or by other democratic means.

(3) Political parties shall use democratic means and methods to achieve the political objectives thereof.

**Article 3.** Organizations that are not political parties may not participate in elections.

**Article 4.** Political parties shall be organized and shall function on the basis of the Constitution, the laws, and in accordance with the statutes of the said parties.

**Article 5.** (1) Political parties may not use in the symbols thereof the coat of arms or the flag of the Republic of Bulgaria or of any foreign State, nor any religious signs or images.

(2) The symbols of political parties may not infringe on universal human values and may not be contrary to good morals.

**Article 6.** Political parties shall conduct the public events thereof, shall make addresses, and shall draw up the documents thereof in the Bulgarian language.

## Chapter Two

# ESTABLISHMENT, REGISTRATION AND ACTIVITIES OF POLITICAL PARTIES

**Article 7.** The establishment and the activities of political parties shall be a public process.

**Article 8.** (1) (Amended, SG No. 6/2009) A citizen holding electoral rights according to Bulgarian legislation may participate in the constituent meeting of a political party only if he or she is not a member of another party.

(2) (Repealed, SG No. 6/2009).

**Article 9.** (1) (Amended, SG, No. 17/2006, supplemented, SG No. 78/2007, amended, SG No. 6/2009) The following may not be members of a political party: the conscript and career military personnel, the personnel in the sphere of internal security and public order, the investigating magistrates, the prosecutors, the judges, the officials of the Diplomatic Service, as well as other persons who are barred from membership of political parties by a special law.

(2) Upon entry of service, the persons covered under Paragraph (1) shall sign a declaration to the effect that they are not members of a political party.

**Article 10.** (1) (Amended, SG No. 6/2009) A political party shall be established on the initiative of not fewer than fifty citizens holding electoral rights according to Bulgarian legislation, who shall constitute a Steering Committee.

(2) The Steering Committee shall adopt a Declaration on Establishment in writing.

(3) The Declaration on Establishment referred to in Paragraph (2) shall specify the fundamental principles and objectives of the political party.

(4) The Steering Committee shall publish the Declaration on Establishment in at least one national daily newspaper and shall initiate a collection of signatures for recruitment of founding members.

**Article 11.** (1) (Amended, SG No. 6/2009) Every citizen holding electoral rights according to Bulgarian legislation may join the signature collection by means of a declaration of individual membership, completed and signed manually on a standard form endorsed by the Steering Committee until conduct of the Constituent Meeting.

(2) By the declaration referred to in Paragraph (1), the citizen shall express his or her personal will to become a member of the political party and shall declare that he or she accepts the fundamental principles and objectives of the political party as stated in the Declaration on Establishment, as well as that he or she is not a member of another political party.

(3) The members of the Steering Committee shall likewise sign a declaration under Paragraph (1).

**Article 12.** (1) (Supplemented, SG No. 73/2006) A political party shall be formed at a Constituent Meeting, which shall be held on the territory of the Republic of Bulgaria within three months after the date of adoption of the Declaration on Establishment.

(2) (Amended, SG No. 6/2009) For the valid transaction of business at the Constituent Meeting of a political party, not fewer than five hundred citizens holding electoral rights according to Bulgarian legislation, who have signed a declaration referred to in Article 11 herein, shall have to be present thereat.

**Article 13.** (1) The Constituent Meeting of a political party shall adopt a Statute of the political party with not fewer than five hundred founding members.

(2) The Constituent Meeting shall elect governing and supervisory bodies of the political party according to the Statute as adopted.

**Article 14.** (1) The Statute of a political party shall state:

1. the designation of the political party and the symbols thereof;
2. the seat and the address of the headquarters;
3. the objectives and the means for attainment thereof;
4. the governing and the supervisory bodies;
5. the rules regarding the manner of representation of the political party;
6. the procedure for convocation, election and removal of the governing and supervisory bodies and the powers thereof;
7. the procedure for the commencement and cessation of membership;
8. the rights and obligations of members;
9. the rules for the establishment of party chapters and the rights and obligations thereof;
10. the rules for fixing the amount of the membership dues;
11. the rules for the raising and spending of funds and for disposition of party property;
12. the terms and procedure for dissolution of the political party.

(2) It shall be inadmissible for the designation of a political party to replicate the designation of another party, whether in full or in abbreviated form, or to add any words, letters, figures, numbers or other signs to any such designation.

**Article 15.** (1) A political party shall be registered in a register of political parties at the Sofia City Court.

(2) A political party shall be registered at the court acting on an application in writing that must be submitted by the party body which, according to the Statute, represents the said party within three months after the date of conduct of the Constituent Meeting.

(3) For the purposes of registration, political parties shall be required to submit the following to the court:

1. a Declaration on Establishment;
2. Minutes of Proceedings at the Constituent Meeting;
3. a Statute of the party;

4. (amended, SG No. 6/2009) a list containing the forename, patronymic and surname, the Standard Public Registry Personal Number and a manual signature of each of not fewer than five hundred founding members of the party who are citizens holding electoral rights according to Bulgarian legislation;

5. declarations of individual membership referred to in Article 11 herein;

6. notarized specimens of the signatures of the persons representing the political party;

7. (amended, SG No. 6/2009) a list stating the forename, patronymic and surname, the Standard Public Registry Personal Number and a manual signature of each of not fewer than two thousand and five hundred members;

8. a notarized declaration by the leadership of the political party concerning the authenticity of the documents referred to in Items 3, 4 and 7;

9. a certificate of the uniqueness of the designation.

(4) The document referred to in Item 3 of Paragraph (3) shall be issued by the Sofia City Court according to a procedure established thereby.

**Article 16.** Within one month after submission of an application under Article 15 (2) herein, the Sofia City Court, sitting in public session, shall consider the application according to the procedure established by the Code of Civil Procedure, with the applicant being summoned and with the participation of a public prosecutor, and shall render judgement within fourteen days after the hearing.

**Article 17.** (1) The following circumstances shall be entered into the register of Sofia City Court:

1. the designation of the political party;

2. the seat and the address of the headquarters;
3. the Statute of the political party;
4. the names of the members of the governing and supervisory bodies of the political party;
5. the names of the persons who, according to the Statute, represent the political party;
6. the dissolution of the political party;
7. the names or, respectively, the designation, and the address of the liquidators;
8. any subsequent changes in the circumstances covered under Items 1 to 7.

(2) The entries shall be effected under the terms and according to the procedure established by the Code of Civil Procedure.

**Article 18.** (1) (Amended, SG No. 59/2007) Any judgment on the application for registration shall be appealable or protestable before the Supreme Court of Cassation within seven days after learning of the said judgment regardless of the prerequisites for cassation appealability covered under Article 280 (1) of the Code of Civil Procedure.

(2) The Supreme Court of Cassation shall render a final judgment within fourteen days after submission of an appeal or a protest under Paragraph (1).

(3) The Sofia City Court shall enter the political party into the register of political parties within seven days after the entry into effect of the judgment of registration.

(4) A political party shall qualify as a legal person as from the day of entry of the said political party into the register of political parties at the Sofia City Court.

**Article 19.** The judgment of the court on entry of a political party into the register shall be promulgated in the State Gazette within seven days after delivery of the said judgment.

**Article 19a.** (New, SG No. 6/2009) Political parties shall submit to the Sofia City Court an abstract of the minutes of proceedings attesting to a meeting held by the supreme body of the said parties as designated by the Statute of the party, regardless of whether the circumstances subject to entry exist, within one month after the said meeting is held.

**Article 20.** (1) Political parties may establish local chapters thereof along territorial or thematic lines and on the basis of residence.

(2) Political parties may establish youth, women's and other organizations thereof.

(3) Political parties may not establish workplace chapters thereof at commercial corporations, cooperatives, sole traders, not-for-profit legal entities and religious institutions, at

state, regional or municipal administrations, nor can they interfere with the management and operation thereof.

(4) Political parties may not establish children's and adolescents' chapters whereof the members have not attained the age of 18 years, nor any religious and paramilitary structures.

## **Chapter Three**

# **PROPERTY, FINANCING, AND SPENDING OF FUNDS**

**Article 21.** The activities of political parties shall be financed by revenue from own sources and by a state subsidy.

**Article 22.** (1) (Supplemented, SG No. 6/2009) Political parties may not carry out any economic activities, except in the cases referred to in Item 6 of Article 23 (1) herein.

(2) Political parties shall have no right to incorporate and to hold participating interests in any commercial corporations and cooperatives.

**Article 23.** (1) Revenue from own sources of political parties shall be any proceeds accruing from:

1. membership dues;
2. own corporeal immovables;
3. donations, legacies, devises and bequests from natural persons;
4. (repealed, SG No. 6/2009);

5. (supplemented, SG No. 73/2006) interest receivable on cash deposits with banks and income from securities, insofar as this does not conflict with Article 22 herein;

6. publishing, copyright and use of intellectual property, as well as from the sale and distribution of printed, audio and audio-visual material of a party propaganda content.

(2) (Amended, SG No. 6/2009) The donation from any single natural person for one calendar year may not exceed BGN 10,000.

(3) Political parties may contract loans from banks to an amount not exceeding two-thirds of the revenue for the last preceding calendar year as reported to the National Audit Office.

(4) (Amended, SG No. 6/2009) The revenue referred to in Paragraph (3) shall include the state subsidy and the revenue referred to in Items 1, 2, 5 and 6 of Paragraph (1).

(5) (Amended, SG No. 6/2009) Any non-cash revenue referred to in Paragraph (1) shall be appraised at fair market value according to the Accountancy Act.

**Article 24.** (Amended and supplemented, SG No. 73/2006, amended, SG No. 6/2009) (1) (Redesignated from Article 24, SG No. 9/2011) Political parties may not receive:

1. (Supplemented, SG No. 9/2011) any anonymous donations in any form whatsoever;
2. any funds from any legal persons and from any sole traders;
3. any funds from any religious institutions;
4. any funds from any foreign governments or from any foreign state-owned enterprises, foreign commercial corporations or foreign non-profit organizations.

(2) (New, SG No. 9/2011) Political parties may not receive any movable and immovable things for gratuitous use, nor any gratuitous services in any form whatsoever, from the entities referred to in Items 2, 3 and 4 of Paragraph (1).

(3) (New, SG No. 9/2011) Natural persons may provide political parties with movable and immovable things for gratuitous use only if the said things are owned by the said persons, as well as gratuitous services only performed through work done in person.

**Article 25.** (Amended, SG No. 73/2006, SG No. 6/2009) (1) A state subsidy shall be allocated annually in four equal tranches from the central government budget to finance the political parties or coalitions which are registered at the Central Election Commission for participation in elections, which have participated in the latest parliamentary elections, and which have elected National Representatives.

(2) The sum total provided for in the budget shall be distributed in proportion to the valid votes received by each party or coalition.

(3) The state subsidy allocated for each coalition under Paragraph (1) shall be distributed among the parties constituting the said coalition according to the coalition agreement. Should there be no coalition agreement, or in case of change of the membership of the parliamentary groups of the political parties or coalitions formed as a result of the latest parliamentary elections, the state subsidy shall be distributed by means of providing the said subsidy to political parties established before the parliamentary elections, which have a court registration and a formed parliamentary group, or to political parties whereto the independent National Representatives declare that they belong. The Ministry of Finance shall transfer the share of the subsidy appertaining to each party to an account named by the said party. account specified by each party in the coalition.

**Article 26.** A state subsidy shall furthermore be allocated annually to parties which are not represented in the National Assembly but which have received not less than 1 per cent of all valid votes at the latest parliamentary elections.

**Article 27.** (1) (Amended, SG No. 73/2006, SG No. 6/2009, SG No. 99/2010, effective 1.01.2011, SG No. 99/2011, effective 1.01.2012) The aggregate amount committed for subsidization of political parties and coalitions shall be fixed annually in the State Budget of the Republic of Bulgaria Act depending on the number of valid votes received at the latest parliamentary elections, with a subsidy determined every year with the State Budget of the Republic of Bulgaria Act being committed for each vote received.

(2) The manner of provision of the funds for subsidization of parties and coalitions shall be determined by the Minister of Finance.

**Article 28.** (1) Each political party shall receive the portion thereto appertaining of the annual state subsidy in four parts, payable on or before the 30th day of April, on or before the 30th day of June, on or before the 30th day of September, and on or before the 20th day of December of the relevant year.

(2) A state subsidy received may not be furnished as security for receivables of third parties.

**Article 28a.** (New, SG No. 6/2009) Political parties shall declare any bank accounts opened thereby to the National Audit Office within fourteen days after the opening of the said accounts.

**Article 29.** (1) (Redesignated from Article 29, SG No. 6/2009) Political parties shall spend the funds thereof on preparation and participation in elections, to ensure the operation of party chapters, on organizational expenses for the conduct of events, and on other expenses inherent to the activity of the party.

(2) (New, SG No. 6/2009) Each political party shall create and keep a public register, recording therein:

1. the persons referred to in Item 3 of Article 23 (1) herein and the type, amount, value and purpose of the donation or legacy, devise and bequest made;

2. (amended, SG No. 9/2011) a declaration by the persons referred to in Item 3 of Article 23 (1) herein on the origin of the funds, in the cases where the donation is to an amount exceeding BGN 1,000;

3. the designations of the sociological agencies and the advertising agencies, as well as of the public opinion agencies, which work with the party;

4. the circumstances covered under Article 17 herein;

5. the corporeal immovables owned;

6. (amended, SG No. 9/2011) the transactions for disposition of movable or immovable property whereof the value exceeds BGN 1,000;

7. (new, SG No. 9/2011) things provided for gratuitous use, and gratuitous services



performed through work done in person by natural persons, the names thereof, the period of use, the type and the description of the things provided for use, the type of the services and a declaration on ownership of the things;

8. (renumbered from Item 7, SG No. 9/2011) the annual financial statements and the financial reports on the election campaigns.

(3) (New, SG No. 6/2009) The circumstances covered under Paragraph (2) shall be recorded in the register within fourteen days after the occurrence of the said circumstances.

(4) (New, SG No. 6/2009) The publicity of the register referred to in Paragraph (2) shall be ensured by means of the Internet site of the political party.

**Article 30.** (1) Each party shall designate a specific person or persons who shall be responsible for the revenue, expenditures and keeping of accounts of the party.

(2) Within thirty days after the court registration thereof, each political party shall submit the names and positions of the persons referred to in Paragraph (1) to the National Audit Office and, upon any change of the said persons, the names and positions of the replacements shall be submitted within seven days after effecting any such change.

(3) (New, SG No. 73/2006) The persons referred to in Items 4 and 5 of Article 17 (1) herein shall declare the financial interests, income and expenses thereof at home and abroad according to the procedure established by the Public Disclosure of Senior Public Officials' Financial Interests Act.

(4) (New, SG No. 73/2006) The procedure under Paragraph (3) shall not apply to parties that receive no state subsidy.

**Article 31.** (1) The State and the municipalities shall provide, in consideration of a rental charge, premises to the political parties which have a parliamentary group or a sufficient number of National Representatives to form a parliamentary group, for performance of the activities of the said parties.

(2) Premises referred to in Paragraph (1) may furthermore be provided to parties which have received more than 1 per cent of the valid votes at the latest parliamentary elections.

(3) The provision of premises to political parties shall be effected according to the State Property Act and the Municipal Property Act.

**Article 32.** (1) The rental charge for the premises as provided shall equal the amount of depreciation charges whereunto the operating expenses, if any, shall be added.

(2) (Supplemented, SG No. 102/2005, amended, SG No. 6/2009) The premises provided to political parties may not be sublet to tenants nor given out for any other use. Any such premises may be used jointly with third parties solely for purposes directly related to the activities of the party.

(3) The landlord-tenant relations shall be terminated by reason of non-payment of the rental charge for a period exceeding three months, by reason of systematic default on any such payments or upon violation of Paragraph (2).

## **Chapter Four**

# **PUBLICITY AND FINANCIAL CONTROL**

### **(Heading amended, SG No. 6/2009)**

**Article 33.** (1) Financial control over the activities of political parties and the management of the property thereto allocated shall be exercised by the National Audit Office.

(2) Political parties shall apply a double-entry system of bookkeeping according to the provisions of the Accountancy Act.

**Article 34.** (1) (Amended, SG No. 73/2006, SG No. 6/2009) Political parties shall draw up a financial statement on the last preceding calendar year according to the requirements established by Article 26 of the Accountancy Act.

(2) (Amended, SG No. 73/2006) The financial statements referred to in Paragraph (1) shall be subject to independent financial audit and certification by an independent financial auditor before the submission of the said statements to the National Audit Office if during the reporting period the political party has received or spent amounts and/or other property to a value exceeding BGN 50,000 regardless of the origin thereof.

(3) The costs of the audit and certification of the financial statements shall be for the account of the relevant political party.

(4) (Amended, SG No. 73/2006, SG No. 6/2009) Political parties shall submit a financial statement on a paper and an electronic data medium to the National Audit Office not later than the 31st day of March of each year. A declaration completed in a standard form, containing a list of the natural persons who have made donations, shall be attached to any such statement.

(5) (New, SG No. 73/2006, amended, SG No. 6/2009) Any annual financial statement, which does not correspond to the requirements referred to in Paragraph (1) and/or Paragraph (4) regarding the form, content and manner of presentation of the said statement, as well as where not accompanied by the declaration referred to in Paragraph (4), shall be considered unsubmitted.

(6) (Renumbered from Paragraph 5, SG No. 73/2006, amended, SG No. 6/2009) Not later than the 15th day of April of each current year, the National Audit Office shall publish, on the Internet site thereof, the financial statements and declarations referred to in Paragraph (4), a list of the designations of the parties which failed to submit statements within the time limit referred to in Paragraph (4), as well as a list of the parties which have received a state subsidy during the preceding year.

(7) (New, SG No. 73/2006) The National Audit Office shall prepare a standard form of the declaration referred to in Article (4) herein.

**Article 35.** (Amended and supplemented, SG No. 73/2006, amended, SG No. 6/2009) (1) Within six months after expiry of the time limit for receipt of the annual financial statements, the National Audit Office shall conduct an audit as to compliance with the requirements of this Act and of the Accountancy Act of the financial activity, the revenues, the expenditures and the management of the property allocated to the political parties which, during the preceding year have:

1. received a state subsidy;
2. used state-owned or municipal-owned premises provided thereto;
3. participated in elections, if such elections were held.

(2) Upon conduct of the audit referred to in Paragraph (1), the authorities of the National Audit Office shall be entitled:

1. to unimpeded access to the service premises and to all documents, statements, assets and liabilities related to the financial activity of the political parties;

2. to require, within time limits set by them, certified copies of documents and other information in connection with the conduct of the audits, including on an electronic data medium;

3. to require oral and written explanations from office holders, including from former office holders, on facts ascertained upon the audits, as well as on matters concerning the activity thereof;

4. to require data sheets, certified copies of documents and other information from natural persons, legal persons and sole traders outside the political party concerned, related to possible cases of unlawful activity;

5. to require and receive information from all authorities in the country, as well as access to the databases thereof in connection with the execution of the audit.

(3) In case of a refusal to provide any information referred to in Item 4 of Paragraph (2), the President of the National Audit Office shall have the right to issue an order on conduct of an examination of the legal person or of the sole trader in connection with the information refused. Upon obstruction of the examination by the legal person or by the sole trader, the National Audit Office shall approach the prosecuting authorities.

(4) The written evidence taken upon the examination referred to in Paragraph (3) shall be an integral part of the documentation on the audit conducted.

**Article 35a.** (New, SG No. 6/2009) (1) After expiry of the time limit referred to in Article 34 (6) herein, the authorities of the National Revenue Agency shall carry out activities within the

competence thereof according to the procedure established by Chapter Fifteen of the Tax and Social-Insurance Procedure Code in respect of the political parties which receive a state subsidy and which have failed to submit the statements thereof to the National Audit Office when due.

(2) The National Revenue Agency shall carry out the activities referred to in Paragraph (1) within the time limits referred to in Article 114 (1) and (2) of the Tax and Social-Insurance Procedure Code.

(3) After expiry of the time limits referred to in Paragraph (2), the Executive Director of the National Revenue Agency shall send the National Audit Office information on the action taken by the said Agency, including information on the auditing instruments issued.

(4) The National Audit Office shall publish, on the Internet site thereof, the report on the audit referred to in Article 35 (1) herein and the information received from the National Revenue Agency within one month after adoption of the report or after receipt of the information referred to in Paragraph (3), as the case may be.

**Article 36.** (1) Upon non-submission or late submission of financial statements to the National Audit Office, political parties shall forfeit the entitlement thereof to a state subsidy until conduct of the next elections of National Representatives.

(2) (Amended, SG No. 6/2009) Where in the course of the audit the National Audit Office has ascertained any violations by a political party in the raising and spending of funds, in the management of the property as allocated or in the financial reporting, by decision of the National Audit Office the relevant part of the report, as well as the evidence taken, shall be transmitted to the Sofia City Prosecutor's Office within seven days after adoption of the said report.

**Article 37.** (Amended, SG No. 6/2009) (1) The National Audit Office shall issue certificates on the annual financial statements of the political parties as submitted and/or non-submitted within the time limit referred to in Article 34 (4) herein for the last preceding three years, and in respect of the newly registered parties, for the period commencing on the date of the court registration thereof.

(2) The certificate referred to in Paragraph (1) shall be presented by the political party to the competent Central Election Commission upon registration for participation in elections.

**Article 37a.** (New, SG No. 6/2009, repealed, SG No. 9/2011).

## **Chapter Five**

# **DISSOLUTION OF POLITICAL PARTIES**

**Article 38.** A political party shall be dissolved upon:

1. a decision on merger by forming a new party or by joining another party;
2. a decision on division by forming two or more new parties;

3. a decision on self-dissolution according to the Statute thereof;

4. an effective judgment of the Constitutional Court, whereby the political party is declared unconstitutional;

5. dissolution by judgment of the Sofia City Court.

**Article 39.** Any decisions under Items 1 and 2 of Article 38 herein shall be made by the supreme body of the party. This power may not be delegated to the governing body of the party.

**Article 40.** (1) The Sofia City Court shall decree dissolution of a political party solely in the cases where:

1. by the activities thereof, such party commits systemic violations of the requirements established by this Act;

2. the activity of such party is in conflict with the provisions of the Constitution;

3. such party has not participated in elections of National Representatives, of President and Vice President, or of Municipal Councillors and Mayors, during more than five years after the latest court registration thereof;

4. (new, SG No. 6/2009) such party has failed to submit the annual financial statements thereof to the National Audit Office for two successive years;

5. (new, SG No. 6/2009) such party has not held the meetings of the supreme body thereof as provided for in the statute thereof on more than two successive occasions but not less than once every five years, and has failed to present the composition of the new leadership to the court for entry.

(2) The judgment of court under Paragraph (1) shall be rendered on a motion by a public prosecutor.

**Article 41.** (1) (Amended, SG No. 59/2007) The Sofia City Court judgment referred to in Article 40 herein shall be appealable before the Supreme Court of Cassation regardless of the prerequisites for cassation appealability covered under Article 280 (1) of the Code of Civil Procedure.

(2) (Amended, SG No. 59/2007) The Supreme Court of Cassation shall rule within fourteen days, rendering a judgment which shall be final and which shall not be subject to reversal under Article 303 of the Code of Civil Procedure.

(3) Any judgment on termination of a political party shall be entered into the register of the Sofia City Court and shall be promulgated in the State Gazette within seven days after entry.

**Article 42.** (1) Upon dissolution of a political party under Items 1 to 3 of Article 38

herein, the competent body shall determine the manner of disposition of the property of the said party.

(2) Upon dissolution of a political party under Item 4 of Article 38 herein, the property thereof shall pass to the Exchequer. The State shall be liable for the obligations of the dissolved party up to the amount of the property received.

## **Chapter Six**

### **ADMINISTRATIVE PENALTY PROVISIONS**

**Article 43.** (1) (Supplemented, SG No. 73/2006, amended, SG No. 6/2009) Any political party, which fails to submit any financial statement under Article 34 (1) herein and any declaration under Article 34 (4) herein when due and which fails to fulfil its obligation to create and keep a public register, shall be liable to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

(2) (Amended, SG No. 73/2006, SG No. 6/2009) Any representative of a political party, who obstructs the conduct of an audit by the National Audit Office, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 2,000.

(3) (New, SG No. 73/2006, repealed, SG No. 6/2009).

(4) (Renumbered from Paragraph (3), SG No. 73/2006) Any funds and property received in violation of this Act shall be forfeited to the Exchequer.

**Article 44.** (1) The written statements ascertaining any violations covered under Article 43 herein shall be drawn up by officials authorized by the President of the National Audit Office.

(2) Penalty decrees shall be issued by the President of the National Audit Office.

(3) The drawing up of written statements, the issuance, appeal against and execution of penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

**Article 45.** (1) Any mayor or regional governor, who fails to fulfil an obligation arising from a judgment of court revoking a refusal to provide a premise to a political party, shall be liable to a fine for non-compliance to the amount of BGN 500 or exceeding this amount but not exceeding BGN 1,500, imposed by the competent court.

(2) A repeated commission of any such violation shall be punishable by a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

### **SUPPLEMENTARY PROVISION**

§ 1. Within the meaning of this Act:

1. "anonymous donations" shall be any donations in respect of which the identity or business name of the donor are kept confidential vis-a-vis third parties;

2. (amended, SG No. 6/2009) "funds" shall be all cash and non-cash resources provided to a political party on the basis of a gratuitous transaction;

3. (repealed, SG No. 6/2009);

4. "financial statement" shall be an annual financial statement within the meaning given by the Accountancy Act;

5. "independent financial auditor" shall be a registered auditor within the meaning given by the Independent Financial Audit Act;

6. (repealed, SG No. 6/2009).

## **TRANSITIONAL AND FINAL PROVISIONS**

**§ 2.** The Non-profit Legal Persons Act shall apply to any matters unregulated by this Act.

**§ 2a.** (New, SG No. 54/2010) (1) The annual state subsidy for 2010 designated according to the procedure, established by Article 27, (1) shall be provided to the political parties and coalitions in the amount of 85% of the total amount according to the State Budget of the Republic of Bulgaria Act for 2010.

(2) The decrease in the amount of the annual subsidy shall be for the account of the remaining tranches for 2010.

**§ 3.** The Political Parties Act (promulgated in the State Gazette No. 30/2001; amended in No. 103/2003) is hereby superseded.

**§ 4.** (1) (Amended, SG No. 102/2005) Any political parties, which have been registered prior to the date of entry of this Act into force, shall bring the statutes thereof in conformity with the provisions of this Act.

(2) Any proceedings for registration of political parties, which have been initiated prior to the entry of this Act into force, are hereby terminated.

(3) Any political party, which has been registered under a designation replicating the designation of another pre-registered party, whether in full or in abbreviated form, or under a designation adding any words, letters, figures, numbers or other signs to any such designation, shall re-register under a different designation under the terms and according to the procedure established by this Act within the time limit under Paragraph (1).

(4) In the cases under Paragraph (3), upon failure to submit documents for re-registration in

due course, the political party shall be dissolved by the court on a motion by a public prosecutor or, where a refusal of re-registration has taken effect, shall be expunged by the court proprio motu.

(5) Within one month after the dissolution, the regional governors and the municipality mayors shall terminate the lease agreements for premises constituting state or municipal property which have been concluded with any political parties dissolved under Paragraph (4).

**§ 5.** (Repealed, SG No. 6/2009).

**§ 6.** In the Election of Members of Parliament Act (promulgated in the State Gazette No. 37/2001; modified by Constitutional Court Judgment No. 8/2001, promulgated in No. 44/2001; amended, No. 45/2002), a new Item 3 shall be added in Article 50 (3) to read as follows:

"3. a certificate from the National Audit Office on prompt submission of financial statements for the last preceding three years."

**§ 7.** In the Election of President and Vice President of the Republic Act (promulgated in the State Gazette No. 82/1991; amended in No. 98/1991, No. 44/1996, No. 59/1998, Nos. 24, 80 and 90/2001, No. 45/2002), a new Item 5 shall be added in Article 6 (1) to read as follows:

"5. a certificate from the National Audit Office on prompt submission of financial statements for the last preceding three years."

**§ 8.** In the Local Elections Act (promulgated in the State Gazette No. 66//1995; corrected in No. 68/1995; modified by Constitutional Court Judgment No. 15/1995, promulgated in No. 85/1995; amended in No. 33 /1996; modified by Constitutional Court Judgment No. 4/1997, promulgated in No. 22/1997; amended in Nos. 11 and 59/1998, Nos. 69 and 85/1999, No. 29/2000, No. 24/2001, No. 45/2002, Nos. 69 and 93/2003), Article 40 (2) shall be amended to read as follows:

"(2) Parties shall submit a transcript of the judgment of court whereby they have been registered, as well as a certificate from the National Audit Office on the prompt submission of financial statements for the last preceding three years. Where any parties participate in a coalition, each of them shall submit a transcript of the judgment of court and a certificate from the National Audit Office. Party coalitions shall submit the decision on the formation thereof, by the leaderships of the relevant parties, a specimen of the signatures of the persons who represent the said parties, and a specimen of the impression of the seal of the coalition, if any."

**§ 9.** This Act shall enter into force as from the day of promulgation thereof in the State Gazette.

This Act was passed by the 39th National Assembly on the 18th day of December 2004 and on the 23rd day of March 2005, and the Official Seal of the National Assembly has been affixed thereto.

Act to Amend and Supplement the Political Parties Act



(SG No. 6/2009)

## TRANSITIONAL AND FINAL PROVISIONS

§ 28. Not later than the 31st day of March 2009, the prosecutor's office shall conduct a check and shall approach the court with a motion for dissolution of the political parties which are not responsive to the requirements covered under Items 1 to 4 of Article 40 (1).

§ 29. (1) Within one month after the entry of this Act into force, the registered political parties shall declare the bank accounts thereof under Article 28a.

(2) The National Audit Office shall endorse the standard forms of the financial reports on the funds raised and spent in the election campaigns, referred to in Article 37a (2), within three months after the entry of this Act into force.

§ 30. (1) Not later than the 31st day of March 2009, political parties shall submit to the National Audit Office, together with the certified financial statement, a declaration completed in a standard form, attaching thereto a list of the legal persons which have made donations to the party, the type, amount, value and purpose of the said donations, as well as a list of the not-for-profit legal entities in which any founders and/or members of the governing or control bodies are members of the governing or supervisory bodies of the political party concerned or children or spouses thereof.

(2) Any not-for-profit legal entities, which have made a donation to the benefit of any political party, shall likewise submit a declaration under Paragraph (1).

(3) Not later than the 15th day of April 2009, the National Audit Office shall publish, on the Internet site thereof, the declarations referred to in Paragraph (1) and the names of the political parties which have failed to submit such declarations.

(4) Any person designated by the governing bodies of a political party or of a not-for-profit legal entity, who fails to submit a declaration referred to in Paragraph (1), shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 2,000.