

Act on Political Parties, 10.1.1969/10

(as of August 2012)

In accordance with the decision of Parliament, the following is enacted:

Section 1

Political party (16.7.2010/683)

For the purposes of this Act, a political party means an association entered on the party register maintained by the Ministry of Justice.

See the Associations Act 503/1989 for information about registered associations.

Section 2 (15.6.2012/372)

Registration of a political party

An association may, upon written application, be entered in the party register as a political party if:

- 1) its main objective is to influence state matters;
- 2) it has signed support cards of at least 5,000 citizens entitled to vote in parliamentary, municipal or European Parliament elections;
- 3) the rules and regulations of the association guarantee that democratic principles are abided by in the decision-making and activities of the association, and;
- 4) the association has drafted a party programme, which sets out the goals and principles followed in its national activities, whose final objective is mentioned in the rules and regulations.

Member, local, parallel, or support associations of an association cannot be entered in the party register as political parties.

The entry of an association on the party register as a political party is free of charge.

Section 2, amended with act 372/2012, enters into force on 1 September 2012. The previous wording is as follows:

Section 2

Registration of a political party (16.7.2010/683)

An association may, upon written application, be entered on the party register as a political party if:

- 1) its main objective is to influence state matters;

- 2) it has signed support cards from at least 5,000 citizens entitled to vote in parliamentary elections;
- 3) the rules and regulations of the association guarantee that democratic principles are abided by in the decision-making and activities of the association, and;
- 4) the association has drafted a party programme, which sets out the goals and principles followed in its national activities, whose final objective is mentioned in the rules and regulations.

Member, local, parallel, or support associations of an association cannot be entered in the party register as political parties.

The entry of an association on the party register as a political party is free of charge.

Section 3 (15.6.2012/372)

Application for registration

An application for entering an association on the party register shall include:

- 1) an extract from the Register of Associations;
- 2) a certified copy of the rules and regulations in force;
- 3) the party programme, and;
- 4) a list of the supporters of the party, compiled through the use of support cards conforming to the model approved by the Ministry of Justice.

The support card shall include:

- 1) personal data of the supporter;
- 2) the supporter's assurance that he or she is entitled to vote in parliamentary, municipal or European Parliament elections;
- 3) a date, which may not be more than one year in the past, and;
- 4) the personal signature of the supporter.

Section 3, amended with act 372/2012, enters into force on 1 September 2012. The previous wording is as follows:

Section 3

Application for registration (16.7.2010/683)

An application for entering an association on the party register shall include:

- 1) an extract from the Register of Associations;
- 2) a certified copy of the rules and regulations in force;

- 3) the party programme, and;
- 4) a list of the supporters of the party, compiled through the use of support cards conforming to the model approved by the Ministry of Justice.

The support card shall include:

- 1) personal data of the supporter;
- the supporter's assurance that he or she is entitled to vote in parliamentary elections;
- 3) a date, which may not be more than one year in the past, and;
 - 4) the personal signature of the supporter.

See the decision by the Ministry of Justice on the format of a support card to be appended to the application for registration, 97/1990.

Section 4

The name of a political party (16.7.2010/683)

When an association has been entered on the party register as a political party, the abbreviation 'r.p.', for the term 'rekisteröity puolue' or 'registrerat parti' (registered party), is added to its name.

Entries related to the registration of an association may not be used in connection with the name of a political party.

Section 5

Notification of amendments to the rules and regulations of a political party (16.7.2010/683)

Amendments to the rules and regulations or the party programme of a political party shall be reported to the Ministry of Justice. An amendment of the rules and regulations does not enter into force until it is entered on the party register.

Amendments to the rules and regulations of a political party shall be entered on the party register if the rules and regulations comply with the requirements laid down by this Act even after the amendment.

Section 6 (15.6.2012/372)

Deletion of a political party from the party register

A political party that fails to gain a parliamentary seat in two consecutive parliamentary elections is deleted from the party register. A political party is also deleted from the party register if it ceases to be a registered association.

A party may also apply for deletion from the register.

Section 6, amended with act 372/2012, enters into force on 1 September 2012. The previous wording is as follows:

Section 6

Deletion of a political party from the party register (16.7.2010/683)

A political party that fails to gain a parliamentary seat in two consecutive parliamentary elections is deleted from the party register. The same applies if a political party ceases to be a registered association.

A party may also apply for deletion from the register.

Section 7

Enforceability of a decision (16.7.2010/683)

A decision by the Ministry of Justice to enter a political party on the party register or to delete it from the register must be complied with, notwithstanding an appeal, until the appeal procedure has been completed.

Section 7 a (16.7.2010/680)

Place of residence of a member of the board (16.7.2010/683)

Only a person who has a place of residence in Finland may be a member of the board of a political party.

Section 8 (16.7.2010/683)

Contributions to a political party and a registered association of a political party

A political party and a registered association of a political party may receive contributions as prescribed below. For the purposes of this Act, a registered association of a political party means an association that belongs to a political party or its member association according to their rules and regulations.

Contributions to a political party or to a registered association of a political party shall include items received by it in money, as goods, services or in some other similar manner. However, contribution does not refer to:

- 1) ordinary voluntary work or ordinary free services;
- 2) items of market value relating to the ordinary organisational activities or management of assets of a political party or a registered association of a political party;
- 3) items received by a political party and its registered association from each other;
- 4) proceeds from permanent business operations carried out by a political party or a registered association of a political party, on market terms, in the public marketplace;
- 5) proceeds from investment activities carried out by a political party or a registered association of a political party;
- 6) the party subsidy referred to in section 9 or a similar subsidy based on the law or state or municipal budget.

Contributions received during a campaign period shall be regarded as contributions to a campaign of a political party or a registered association of a political party. For the

purposes of this Act, a campaign period shall refer to a period that begins six months before an election day and ends two weeks after the election day.

Section 8 a (16.7.2010/683)

Contributions to a related entity of a political party

For the purposes of this Act, a related entity of a political party means a corporation and foundation or a fund of a corporation and foundation that the party reports as a related entity, with the consent of said entity or foundation, to the National Audit Office.

Contributions to a related entity of a political party shall include items received by it in money, as goods, services or in some other similar manner. However, contribution does not refer to:

- 1) ordinary voluntary work or ordinary free services;
- 2) items of market value relating to the ordinary activities or management of assets of a related entity of a political party;
- 3) items received by related entities of the same political party from each other;
- 4) proceeds from permanent business operations carried out by a related entity of a political party, on market terms, in the public marketplace;
- 5) proceeds from investment activities carried out by a related entity of a political party;
- 6) a subsidy paid to a related entity of a political party on the basis of the law or state or municipal budget.

Section 8 b (16.7.2010/683)

Limitations on contributions

No political party, registered association or related entity may receive contributions unless the donor can be identified. However, this does not apply to campaign contributions received as a result of ordinary fund-raising activities.

No political party, registered association or related entity may receive contributions in excess of 30,000 euros per calendar year from the same donor. However, this does not apply to contributions given by a related entity to a political party or its registered association, or contributions bequeathed by testament.

A political party, its registered association and related entity may receive foreign contributions only from private individuals and international associations and foundations representing the party's ideological tendencies.

No political party, its registered association or related entity may receive contributions from the state, a municipality, a federation of municipalities, a state-owned or municipal business, or a public corporation or from a company under state or municipal control as referred to in chapter 1, section 5 of the Accounting Act (1336/1997). However, this does not apply to use of premises or ordinary hospitality.

The political party and its registered association must ensure that any advertisement belonging to the election campaign or intended to support it reveals the name of the party paying for the advertisement. However, the name of a private individual may not be disclosed without his or her express consent if the value of the advertisement paid is less than 1,500 euros.

Section 8 c (16.7.2010/683)

Up-to-date disclosures

The amount of the contribution received by a political party, its registered association and related entity and the party providing it must be reported to the National Audit Office if the value of a single contribution or contributions consisting of several remittances received from the same donor is 1,500 euros or more per calendar year (up-to-date disclosure). The disclosure must be supplemented whenever the value of the contributions consisting of new remittances received from the same donor after the notification or a supplement to it exceeds the amount mentioned above. The contributions must be reported in the gross amount. Any contributions not provided in money must be estimated and reported as a sum of money.

The political party is responsible for filing notification. The notification must be given, electronically, no later than the 15th day of the calendar month following the receipt of the contribution.

The National Audit Office can provide detailed instructions on how to file notifications.

Section 9 (16.7.2010/683)

Party subsidies

Within the limits of the state budget, a political party represented in Parliament may be granted a party subsidy from government funds for financing the party's public activities specified in its rules and regulations and the party programme. Party subsidies are allocated to the parties in accordance with the number of parliamentary seats each party has gained in the latest parliamentary elections. If, in the period between parliamentary elections and before the publication of the state budget in any budgetary year, at least half of a party's parliamentary representatives have notified the Speaker of Parliament of their ceasing to represent the party in question in Parliament, the allocation of the subsidy shall be adjusted to correspond with the new situation. Part of the party subsidy may be used to finance the activities of another association.

In addition to the parties referred to in Subsection 1, a party subsidy is also granted to a political party reported to the Speaker of Parliament by a representative, elected as a candidate for a joint list or a constituency association in the last parliamentary elections, as the party he or she wishes to represent, and which continues the political activities of the voter group that formed the joint list or established the constituency association. However, this requires that the party in question not have been entered in the party register before the statutory date stated in the act on elections of members of Parliament (714/1998), when the Ministry of Justice for the purposes of the above-mentioned elections must notify the central election committees of the electoral

districts the parties entered in the party register. The party subsidy is granted, as appropriate, in accordance with the allocation grounds laid down in Subsection 1.

The party subsidy is granted by the Council of State, upon application. The party subsidy is paid by the Prime Minister's Office.

In other respects, the granting, payment, and use of a party subsidy is governed by the provisions of the Act on Discretionary Government Transfers (688/2001).

See the decree on party subsidies granted to support the activities of political parties, 27/1973, section 1.

Section 9 a (16.7.2010/683)

Bookkeeping

The obligation of a political party and an association referred to in the subsidy decision to keep books and submit financial statements and an annual report are governed by the provisions in the Accounting Act. In context with the financial statements, they must also submit an account of the use of the party subsidy referred to in section 9, as well as information included in the up-to-date disclosures, and expenses and funding of the electoral campaign as prescribed in subsection 9 b.

In addition to the information required in the Accounting Act, an association and foundation reported by a political party as its related entity and an association and foundation whose fund has been reported as a related entity of a political party, must also submit a specification of the contributions received by the related entity. The specification must include information on the total amount of contributions, grouped into contributions from private individuals, companies, and other sources.

Further regulation of the preparation of the account and submission of the information may be issued by government decree.

See the government decree on information submitted in an account referred to in subsection 9 a of the Act on Political Parties, 88/2011.

Section 9 b (16.7.2010/683)

Information to be disclosed on expenses and funding of an electoral campaign

Any political party and association referred to in a subsidy decision must report the expenses incurred during the electoral campaign and the funding of the campaign separately, for all public elections, as follows:

1) the total election campaign costs, accompanied by an itemised list of promotional expenditure for advertisements in newspapers, including free newspapers; other periodicals; radio, television, and data networks, as well as other communication media; outdoor advertising; the production of self-published campaign newsletters, brochures, and other printed materials; campaign planning; the organisation of rallies; contributions made for the electoral campaign; staff hired and premises leased for the campaign; and other expenditure;

2) the total election funding, accompanied by an itemised list of loans taken out; the party subsidy referred to in section 9 and any other similar subsidy based on the law

or state or municipal budget; subsidy for the electoral campaign and other sources of funding. The subsidy for the electoral campaign shall be grouped into contributions from private individuals, companies, and other sources.

Each individual campaign contribution and its donor must be disclosed separately, if the value of such a contribution exceeds 1,500 euros. All campaign contributions received from the same donor during the campaign are to be summed and reported as a single campaign contribution item. The contributions must be reported in the gross amount. Any contributions not provided in money must be estimated and reported as a sum of money. The name of a private individual may not be disclosed without his or her express consent if the amount donated is less than 1,500 euros.

If a contribution includes at least 1,500 euros relayed from a third party, the recipient of the campaign contribution must also disclose the donor of the campaign contribution relayed.

Before the election day, the political party and association referred to in the subsidy decision may submit to the National Audit Office advance notification that includes a plan for the expenses and funding of the electoral campaign.

The National Audit Office can provide detailed instructions on how to file itemised lists.

See the Act on a Candidate's Election Funding, 273/2009.

Section 9 c (16.7.2010/683)

Auditing

Any political party receiving a party subsidy referred to in section 9 above and association referred to in a subsidy decision, and any association and foundation reported as a related entity of a political party and association and foundation whose fund has been reported as a related entity, must appoint an auditor or auditing firm referred to in the Auditing Act (459/2007) or JHTT auditor or JHTT firm referred to in the Act on Chartered Public Finance Auditors (467/1999). The auditing firm and JHTT firm must notify the party being audited of the name of the responsible auditor.

In addition to what is prescribed in the Auditing Act, the auditor of a political party receiving a party subsidy and other association referred to in a subsidy decision must give an opinion on the following in the auditor's report:

- 1) have the provisions of this Act and the conditions of the subsidy decision been observed in the use of the party subsidy and the reporting on such use;
- 2) have the provisions in this Act on the party subsidy and limitations on the subsidy as well as the reporting of the expenses and funding of the electoral campaign been observed?

In addition to what is required in the Auditing Act, the auditor of a related entity of a political party and any association and foundation whose fund is a related entity, must give an opinion on whether the related entity has observed the provisions in this Act on the party subsidy and limitations on the subsidy in its activities.

Section 9 d (16.7.2010/683)

Submission of financial statement documents

The political party must submit to the National Audit Office and the Ministry of Justice the auditor's report and financial statements, including appendices, and the accounts and information of the party and the association referred to in the subsidy decision, as referred to in subsection 9 a(1). For this purpose, the association referred to in the subsidy decision must submit the corresponding documents and information to the party in question. The political party's documents and information must be sent within three months from the approval of the financial statements. The documents and information of the association referred to in the subsidy decision must be sent within one month from the approval of the association's financial statements.

Any association or foundation reported as a related entity of a political party must submit to the National Audit Office its auditor's report and financial statements including appendices, the itemised list referred to in subsection 9 a(2) and opinion referred to in subsection 9 c(3) within three months from the approval of the financial statements of the association or foundation. Any association or foundation whose fund has been reported as a related entity must submit the same documents within three months from the approval of the financial statements of the association or foundation.

The National Audit Office can provide detailed instructions on how to submit documents and information.

Section 9 e (16.7.2010/683)

Supervision

The Ministry of Justice supervises the use of the subsidy referred to in section 9 and monitors compliance with this Act and other provisions and regulations issued by virtue of this Act insofar as such supervision is not the obligation of the National Audit Office. Supervision of the use of the subsidy is governed by the Act on Discretionary Government Transfers.

The National Audit Office monitors compliance with the stipulations in this Act concerning the reporting of party subsidies as well as the expenses and funding of electoral campaigns and the preparation and filing of related documents and information in the activities of the political party, its related entity, and the association referred to in the subsidy decision (party being monitored). In this capacity, the Office may inspect the accountancy and use of funds of the party being monitored and, if necessary, urge it to fulfil its obligations arising from this Act.

The National Audit Office may, under penalty of a fine, obligate the party being monitored to fulfil its obligations if documents or information have not been filed, corrected or complemented, despite the Office's exhortation, or if their accuracy or sufficiency has not been verified and the omission is substantial in its totality. Any imposition of a default fine is determined by the default fine committee referred to in section 15 of the act on the national audit office (laki valtionalouden tarkastusvirastosta), 676/2000. Any setting and imposition of a default fine can be appealed to the Supreme Administrative Court as prescribed in the Administrative Judicial Procedure Act (586/1996).

In other respects, supervision carried out by the National Audit Office is prescribed in the act on the national audit office (laki valtiontalouden tarkastusvirastosta).

The National Audit Office submits to Parliament an annual report on its activities with regard to the monitoring of this Act.

Section 9 f (16.7.2010/683)

Election funding register and public access

The National Audit office maintains a register of funding of political parties in which information related to disclosures referred to in subsections 8 c, itemised lists referred to in subsections 9 a(2) and 9 b, and documents referred to in subsection 9 d(1) is stored. Notwithstanding the provisions of subsection 16(3) of the Act on the Openness of Government Activities (621/1999), every individual will have the right to obtain copies of the register entries and information via public data networks.

The storage of up-to-date and advance disclosures as well as other information in the election funding register, along with access to the register, are governed by the provisions of the Archives Act (831/1994) and the Act on the Openness of Government Activities.

Section 10 (16.7.2010/683)

Demand for equal treatment

Authorities employed by the state, municipalities and municipal federations and organisations or bodies governed by the state must treat all political parties equally and in accordance with uniform criteria.

Oy Yleisradio Ab (the Finnish Broadcasting Company) may, when it applies the provisions in subsection 1, take into account aspects related to public service programming.

Section 11 (16.7.2010/683)

Claim for recovery

A government plenary session may issue a decision ordering the discontinuation of the payment of a party subsidy referred to in section 9 and place a clawback on any subsidy already paid or a part thereof as prescribed in the Act on Discretionary Government Transfers. However, a decision can be issued ordering the discontinuation of the payment or a clawback of party subsidy already paid, in full or in part, from any political party that commits a substantial neglect of its obligation according to this Act. If the obligation is neglected by another association referred to in the subsidy decision, the discontinuation of the payment of the subsidy or a clawback can only apply to the portion of the subsidy allocated for it.

Section 12 (16.7.2010/683)

Further regulation

Further regulation of the implementation of this Act shall be issued by government decree.

Section 13

Entry into force and transitional provision (16.7.2010/683)

This Act enters into force on 1 February 1969.

As this Act enters into force, the following political parties are entered, *ex officio*, in the party register: Suomen Sosialidemokraattinen Puolue r.y., Keskustapuolue r.y., Suomen Kansan Demokraattinen Liitto – Demokratiska Förbundet för Finlands Folk r.y., Kansallinen Kokoomus r.y., Svenska folkpartiet i Finland r.f., Liberaalinen Kansanpuolue r.y., Työväen ja Pienviljelijäin Sosialidemokraattinen Liitto r.y., Suomen Maaseudun Puolue r.y., and Suomen Kommunistinen Puolue – Finlands Kommunistiska Parti r.y. However, within three months from the entry into force of this act, said political parties must submit to the Ministry of Justice the accounts referred to in section 3, subsection 1(1–3), under penalty of being deleted from the register.

If some of the political parties entered in the party register are linked to each other as referred to in section 2, subsection 2, these parties are regarded as one party when the provisions of the present act are applied.

Entry into force and application of amended statutes:

5.1.1973/1:

This Act enters into force on 8 January 1973.

31.12.1986/1048:

This Act enters into force on 1 January 1987.

This Act repeals section 4 (27/3) of the decree on party subsidies granted to support the activities of political parties, passed on 19 January 1973.

What has been enacted concerning auditors in section 8, subsection 1 shall be applied upon selection of auditors after this act has entered into force. The right of an inspector appointed by the Ministry of Justice by virtue of section 9 a, subsection 2 to carry out inspections and examinations applies to the accountancy and use of funds of political parties after this act has entered into force.

Government Bill 69/86, report of the Constitutional Law Committee 30/86, report of the Social Affairs and Health Committee 134/86

24.11.1989/1007:

This Act enters into force on 1 December 1989.

Before the act enters into force, any necessary measures may be taken to enforce it.

Government Bill 158/89, report of the Constitutional Law Committee 6/89, report of the Social Affairs and Health Committee 140/89

20.7.1992/653:

This Act enters into force on 1 August 1992.

Before the act enters into force, any necessary measures may be taken to enforce it.

Government Bill 57/92, report of the Constitutional Law Committee 6/92

16.7.2010/680:

This Act enters into force on 1 September 2010.

Government Bill 267/2009, report of the Legal Affairs Committee 8/2010,
Parliamentary reply 73/2010

16.7.2010/683:

This Act enters into force on 1 September 2010. However, subsections 8 c and 9 a, 9 b(4), and 9 c shall not be applied until on 1 January 2011.

Government Bill 6/2010, report of the Constitutional Law Committee 3/2010,
Parliamentary reply 100/2010

15.6.2012/372:

This Act enters into force on 1 September 2011.

Government Bill 22/2012, report of the Constitutional Law Committee 4/2012,
Parliamentary reply 36/2012