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## **424/1991 Official Gazette**

### **THE LAW**

#### **on association within political parties and political movements**

of October 2<sup>nd</sup> 1991

Amendment: 466/1991 Official Gazette  
Amendment: 68/1993 Official Gazette  
Amendment: 189/1993 Official Gazette  
Amendment: 117/1994 Official Gazette  
Amendment: 296/1995 Official Gazette  
Amendment: 296/1995 Official Gazette (partial) 322/1996 Official Gazette  
Amendment: 340/2000 Official Gazette  
Amendment: 98/2001 Official Gazette  
Amendment: 104/2001 Official Gazette  
Amendment: 170/2001 Official Gazette  
Amendment: 151/2002 Official Gazette  
Amendment: 556/2004 Official Gazette  
Amendment: 501/2004 Official Gazette  
Amendment: 342/2006 Official Gazette  
Amendment: 296/2007 Official Gazette  
Amendment: 227/2009 Official Gazette  
Amendment: 345/2010 Official Gazette  
Amendment: 420/2011 Official Gazette

The Federal Assembly of the Czech and Slovak Federative Republic has resolved on the following act of law:

#### **Initial Provisions**

§ 1

(1) Citizens are entitled to associate in political parties and political movements (hereinafter only “political parties and movements”). By exercising this right, they are able to take part in political life, above all in formation of legislative assemblies, bodies of higher self-governing territorial units and local self-governing authorities. Possible restrictions of this right are defined by special legal regulations<sup>1a)</sup>.

(2) No approval of state authorities is required in order to exercise this right.

(3) This act of law does not apply to

- a) association in unincorporated associations<sup>1)</sup>,
- b) gainful activities or lawful performance of certain occupations,
- c) association in clerical and religious associations.

## § 2

(1) All political parties and movements are subject to registration pursuant to this act of law.

(2) Only private individuals may be associated in political parties and movements.

(3) Only citizens older than 18 years of age may be associated in political parties and movements. Each citizen may be associated in one political party or movement only.

(4) This act of law in no way affects special laws dealing with incompatibility between being a member or an official of a political party or movement and performing other activities or holding another office.

## § 3

(1) Political parties and movements are legal entities. State authorities may only interfere in their status or activities in compliance with and within the limits of the law.

(2) Nobody must be forced to join a political party or movement. Every member of a political party or movement must be allowed to resign his/her membership.

(3) Nobody must be restricted in his/her rights because of his/her membership in a political party or movement or for participating in or supporting its activities or for not being a member of a political party or movement.

## § 4

The following political parties and movements may not be established and operate:

- a) political parties and movements breaching the constitution and acts of law or seeking to remove the democratic foundations of the state,
- b) political parties and movements having no democratic statutes or no democratically elected bodies,
- c) political parties and movements whose objective is to seize and retain power in a way preventing other parties and movements from competing for power through constitutional means or to restrain equality of civil rights,
- d) political parties or movements whose programmes or activities endanger morality, public order or civil rights and freedoms.

## § 5

(1) All political parties and movements are separated from the state. They may not function as or act as substitutes of public administration authorities. Nor may they control public administration authorities or lay obligations under personnel that are not their members.

(2) Political parties and movements may not be armed and may not establish armed units.

(3) Political parties and movements are organised exclusively on a territorial basis. It is not permissible to establish and organise political parties and movements at a workplace or in cases specified by special laws<sup>2)</sup>.

### **Establishment of Political Parties and Movements**

## § 6

(1) Political parties and movements are established through registration or as a result of conditions replacing registration (Article 8, Sections 4 and 6, and Article 21).

(2) Proposals for registration of political parties or movements (hereinafter only “registration proposal”) are submitted by preparatory committees of political parties and movements having at least three members (hereinafter only “preparatory committee”). Preparatory committees are only entitled to carry out activities whose objective is to establish a political party or movement. Only citizens older than 18 years of age may become members of a preparatory committee. Every registration proposal must be signed by all members of the preparatory committee stating their first names, surnames, dates of birth and permanent addresses. It is also necessary to state which member of the preparatory committee is entitled to act on its behalf. The following information and documents must be attached to every registration proposal:

- a) a petition signed by at least one thousand citizens requesting that the political party or movement be registered; when signing the petition, each citizen is obligated to state his/her first name and surname, date of birth and permanent address,
- b) two copies of the statutes (organisational rules) featuring:
  1. the name and abbreviation of the political party or movement,
  2. registered office,
  3. programme objectives,
  4. the rights and obligations of its members,
  5. characterisation of organisational units, if they are to be established, especially the extent to which they are entitled to acquire, manage and dispose of assets or other property rights on behalf of the political party or movement and to what extent they are entitled to act and accept obligations on behalf of the political party or movement,
  6. bodies, including statutory, arbitration and auditing bodies, the way they are established and the extent of their competencies,
  7. the way individual statutory bodies act and sign and whether and to what extent other members or employees can take legal steps on behalf of the political party or movement,
  8. economic management principles,

9. the way of calculation of membership fees, if the members are obligated to pay them; if the amount of membership fee of any member totals more than CZK 50,000 a year, the political party or movement is obligated to state this fact, together with the member's identification details, in an appendix to its annual financial report in compliance with Article 18, Section 1,

10. the way of settlement of a possible asset balance resulting from liquidation of assets and liabilities if the political party or movement is dissolved, unless such a balance escheats to the state (Article 13, Section 7).

(3) The name and abbreviation of a new political party or movement must differ distinctively from the names and abbreviations of other political parties and movements already existing and operating in the territory of the Czech Republic in order to prevent confusion.

(4) Every political party or movement must have its registered office in the territory of the Czech Republic.

(5) Unless specified otherwise in its statutes, a new political party or movement shall be represented by its preparatory committee until the bodies defined in Article 2, Section b), Subsection 6 are appointed. These have to be appointed no later than 6 months after the establishment of the political party or movement. If the bodies are not appointed within the said period of time, the Ministry of the Interior (hereinafter only the "Ministry") shall initiate proceedings suspending all activities of the political party or movement (Article 14).

## § 7

(1) Registration proposals are presented to the Ministry.

(2) If a registration proposal does not contain the details defined in Article 6 or if it contains incomplete or inaccurate information, the Ministry shall notify the preparatory committee of this fact in writing without unnecessary delay, no later than 5 days after receiving such registration proposal, warning the preparatory committee that if its registration proposal is not amended accordingly, no registration proceedings will be initiated.

(3) If the Ministry does not notify the preparatory committee within 10 days after receiving its registration proposal pursuant to Section 2 of this Article, the registration proposal shall be deemed as accepted without objections.

(4) If the preparatory committee does not agree with the Ministry's notification, it may file an action with an administrative court of justice within 15 days after receiving it, claiming that its registration proposal features no defects.

(5) Registration proceedings are initiated on the day the Ministry receives a registration proposal featuring no defects pursuant to Section 2 of this Article or on the day a verdict of an administrative court of justice stating that the registration proposal features no defects pursuant to Section 4 of this Article becomes legally effective.

## § 8

- (1) The Ministry shall refuse to register any political party or movement whose statutes contravene Articles 1 through 5 and Article 6, Sections 3 and 4. All other political parties and movements shall be duly registered.
- (2) The Ministry shall register or refuse to register a political party or movement within 15 days after the beginning of registration proceedings.
- (3) If a political party or movement is registered, the Ministry shall send one copy of its statutes, in which it shall state the date of registration, to the authorised representative of the preparation committee within the time limit specified in Section 2 herein.
- (4) If the authorised representative of the preparation committee is not informed by the Ministry within 30 days after the beginning of registration proceedings that registration has been refused, a political party or movement shall be regarded as duly established on the day following the said period; this day shall become its date of registration. On request, the Ministry shall stamp the date of registration on one copy of the statutes of the political party or movement and forward it to the authorised representative of the preparation committee.
- (5) The preparation committee may appeal against the Ministry's registration refusal to a competent court of justice within 30 days following its receipt<sup>2a)</sup>. All appeals shall be reviewed by the Supreme Court of the Czech Republic.
- (6) A legally effective decision of a court of justice revoking the Ministry's registration refusal shall be regarded as a registration approval. On request, the Ministry shall stamp the date of registration on one copy of the statutes of the political party or movement and forward it to the authorised representative of the preparation committee.
- (7) The Ministry registers political parties and movements by entering them into its register of political parties and movements.
- (8) Each newly established political party or movement, including its name, abbreviation and registered office, shall be reported by the Ministry to the Czech Statistical Office no later than 7 days following its registration.

## § 9

### **Register of Political Parties and Movements**

- (1) The register of political parties and movements administered by the Ministry is a public list featuring all statutory information on individual political parties and movements. It also includes a collection of documents containing statutes, resolutions on establishment of bodies, resolutions on statutes changes and resolutions on dissolution of political parties and movements. The register of political parties and movements is open to the public. Everyone is entitled to search in the register of political parties and movements and to make duplicates and excerpts. On request, the

Ministry shall issue an official confirmation stating whether a political party or movement is or is not registered.

(2) The following data are entered into the register of political parties and movements:

- a) the name, abbreviation and registered office of the political party or movement and its registration number and registration date,
- b) the date of registration of statute changes,
- c) the date of dissolution of the political party or movement and the cause of its deletion.

(3) Additional details to be entered into the register of political parties and movements:

- a) the identification number of the political party or movement,
- b) first names, surnames, dates of birth and permanent addresses of all persons acting as statutory bodies or members of statutory bodies of the political party or movement and the way they act on behalf of the political party or movement,
- c) suspension of activities,
- d) dissolution,
- e) entering into liquidation (including the liquidator's first name, surname, date of birth and permanent address),
- f) adjudication of bankruptcy (including the receiver's first name, surname and permanent address), rejection of application for adjudication of bankruptcy due to lack of assets, initiation of settlement proceedings.

(4) All changes defined in Sections 2 and 3 herein must also be recorded in the register of political parties and movements.

## § 10

All political parties and movements are obligated to report the information specified in Article 9, Section 3, Subsections b), d) and e) herein to the Ministry in writing no later than 15 days after their approval. An official resolution of the relevant body must be enclosed to any such report.

## § 11

### **Statute Changes**

(1) An application for registration of statute changes must be presented to the Ministry in writing no later than 15 days after their approval. If the persons acting as statutory bodies or members of statutory bodies or their official titles are changed as result of or in connection with statute changes, the application must be presented by the new statutory body. Two copies of statute changes and a resolution of the statutory body competent to decide on such changes in compliance with the existing statutes must be attached to every application.

(2) The provisions of Articles 7 and 8 herein shall be applied to the process of registration of statute changes accordingly. Any change of statutes shall become effective on the date of its registration by the Ministry.

(3) Any change of the name, abbreviation or registered office of a political party or movement shall be reported by the Ministry to the Czech Statistical Office within 7 days following its registration.

### **Dissolution, Abolishment and Suspension of Activities**

§ 12

#### **Dissolution of Political Parties and Movements**

(1) Political parties and movements are regarded as dissolved on the day they are deleted from the register of political parties and movements by the Ministry (hereinafter only the “deletion”).

(2) If a political party or movement is abolished without liquidation, an application for deletion shall be presented to the Ministry by its competent body within 10 days after the date of abolishment resolution. If a political party or movement is abolished with liquidation, an application for deletion shall be presented to the Ministry by its liquidator within 10 days after the date of liquidation completion.

(3) Before a political party or movement is dissolved, it has to be abolished, either without liquidation (if all its assets and liabilities are to be transferred to a legal successor) or with liquidation (if its assets and liabilities are not to be transferred).

(4) Unless specified otherwise by the law, the assets and liabilities of an abolished political party or movement are liquidated pursuant to the same legal regulations as the assets and liabilities of commercial companies. If its liquidator finds out at any time during liquidation that the abolished political party or movement is insolvent, he shall be obligated to initiate bankruptcy proceedings. Any and all assets remaining after the completion of liquidation proceedings shall be disposed of by the liquidator pursuant to the statutes of the abolished political party or movement (Article 6, Section 2, Subsection b), Paragraph 9).

(5) The Ministry shall report any dissolved political party or movement to the Czech Statistical Office within 7 days after its deletion.

§ 13

#### **Abolishment of Political Parties and Movements**

(1) A political party or movement is abolished

a) as a result of its own decision, in particular by voluntary dissolution, merger with another political party or movement or transformation into an unincorporated association<sup>1)</sup>,

b) if it fails to present its financial report to the Chamber of Deputies within the time

limit specified in this act of law (Article 18, Sections 1 and 2),  
c) as a result of judicial resolution.

(2) If no abolishment resolution method is specified in its statute pursuant to Section 1, Subsections a) and b) herein, a political party or movement shall be abolished by its supreme body.

(3) After a political party or movement has been abolished, its bodies may only act in matters related to its abolishment unless their executive powers are transferred to a legal successor or liquidator.

(4) If a political party or movement is abolished as a result of its merger with another political party or movement or transformation into an unincorporated association<sup>1)</sup>, all assets and liabilities shall be transferred to its legal successor.

(5) If it is decided that a political party or movement will be abolished as a result of voluntary dissolution or as a result of its failure to present its annual financial report to the Chamber of Deputies, the body which adopts such decision must also appoint a liquidator of its assets. The Ministry must be informed of the abolishment or dissolution of a political party or movement by its liquidator within 5 days.

(6) A political party or movement may be abolished as a result of a judicial resolution [Section 1, Subsection b) herein] if its activities contravene Articles 1 - 5 or if the reasons due to which its activities have been suspended prevail even after the expiration of the time limit specified in the relevant judicial suspension resolution. The court of justice which decides that a political party or movement is to be dissolved must also specify a liquidator who must not be a member of such political party or movement.

(7) If there is a direct connection between the reasons due to which a political party or movement is dissolved by a judicial resolution and the acquisition or utilisation of its assets, the same court of justice may also decide that any and all assets remaining at the end of liquidation proceedings will be escheated.

§ 14

### **Suspension of Activities of Political Parties and Movements**

(1) A political party or movement may have its activities judicially suspended if they contravene Articles 1 - 5, Article 6, Section 5, Articles 17 - 19 or its own statutes.

(2) A political party or movement whose activities have been judicially suspended may only act in matters whose objective is to remove the cause of suspension. If the cause of suspension is not removed within one year, the authorities specified in Article 15 of this act of law shall file a legal suit against the political party or movement at a competent administrative court, demanding that the political party or movement be dissolved.

(3) If the cause of suspension is removed within the aforementioned time limit, the political party or movement may file a legal suit at a competent administrative court,



demanding that the suspension be revoked. This provision, however, does not apply to a suspension of activities resulting from the causes specified in Article 6, Section 5 and Article 18, Sections 1 and 2. In such cases, the suspension of activities is regarded as revoked on the date the relevant body recognizes a specific obligation of the political party or movement as duly met.

#### § 15

(1) A political party or movement is dissolved [Article 13, Section 1, Subsection b)] and its activities suspended [Article 14, Section 1] or renewed [Article 14, Section 3] on the motion of the government in accordance with a resolution by the Supreme Administration Court. If the government fails to act within 30 days, a motion may be put by the President of the republic.

(2) A political party or movement may not be dissolved and its activities suspended in a period starting on the day nationwide elections to the Chamber of Deputies, the Senate, municipal councils and the councils of regional self-governing units are announced and ending ten days after the last election day. This provision, however, shall not be applied if its activities contravene Article 4 herein.

#### § 16

Other consequences of the abolishment of a political party or movement or the suspension of its activities are defined by a special act of law.

#### § 16a

### **Judicial Protection**

(1) If any decision adopted by the bodies of a political party or movement affects the information included in the register of political parties and movements (Article 9), any member of such political party or movement may within 6 months following the date of adoption of the decision concerned ask a district court of justice to determine whether it complies with the law and with the statutes of the political party or movement.

(2) Unless the challenged decision is related to the abolishment of a political party or movement, it is only possible to proceed pursuant to Section 1 herein if the member's request is rejected by the arbitrary body of the political party or movement involved or if the arbitrary body fails to make a decision within 30 days after the member's request is presented.

(3) All judicial proceedings are governed by the rules of civil procedure. One copy of the member's request, its reception date verified by the relevant court of justice, must be sent to the Ministry.

(4) The court of justice shall send a copy of its legally effective decision made pursuant to Section 1 herein to the Ministry.

### **Economic Management of Political Parties and Movements**

## § 17

(1) Every political party and movement is liable for its obligations up to the value of its assets. Its members, however, are neither liable for nor guarantee its obligations.

(2) No political party or movement is entitled to transact business in its own name. <sup>2b)</sup>

(3) A political party or movement is entitled to establish a business company or cooperative or to participate in an existing business company or cooperative as a partner or member only if such a company or cooperative is engaged exclusively in the following activities:

- a) publishing or printing services, radio or television broadcasting,
- b) publication and promotional activities,
- c) organisation of cultural, social, sport, leisure, educational or political events, or
- d) production and sales of statutes promoting its program and activities.

(4) Political parties and movements may have revenues from the following resources:

- a) contributions to election expenses from the state budget of the Czech Republic,
- b) allowance for operational expenses from the state budget of the Czech Republic (hereinafter only the “operational allowance”),
- c) membership fees,
- d) donations and inheritance,
- e) rentals and sales of tangible and intangible assets,
- f) interest on deposits,
- g) participation in business transactions of other legal entities pursuant to Section 3,
- h) organisation of raffles and cultural, social, sport, leisure, educational and political events,
- i) loans and credits.

(5) All political parties and movements are obligated to keep accounts in compliance with special laws. <sup>3)</sup>

(6) No political party or movement may own assets located outside the territory of the Czech Republic.

## § 17a

*Deleted*

## § 18

(1) All political parties and movements are obligated to present their annual financial reports featuring the following information to the Chamber of Deputies by 1 April of each year:

- a) annual accounting statements in accordance with special regulations, <sup>3)</sup>
- b) auditor’s report on annual financial statement with no reservations,
- c) total earnings structured in accordance with Article 17, Section 4, and total

- expenses, including operating and wage expenses, tax and fee expenses, and election expenses,
- d) all received gifts and donations, including the donor's first name, surname, date of birth and permanent address (in the case of private individuals) or the donor's business name, registered address and identification number (in the case of legal entities),
  - e) all inherited assets; where the overall value of such assets exceed CZK 100,000.00, it is necessary to identify the decedent,
  - f) all members whose annual membership fee exceeds CZK 50,000, including the amount paid by each such member and his/her first name, surname, date of birth and permanent address.

(2) The time limit specified in Section 1 herein shall be regarded as duly met if an annual financial report is forwarded to a holder of a post licence or a holder of a special post licence on 1<sup>st</sup> April at the latest.

(3) If the overall value of any donation made by the same donor in one year exceeds CZK 50,000, a notarised copy of his/her donation contract must be enclosed to the list of donations and donors specified in Section 1, Subsection d). Both documents must feature the same information.

(4) All political parties and movements shall present their annual financial reports on forms and with attachments defined by the Ministry of Finance in a special implementary regulation.

(5) An annual financial report shall be regarded as complete if it contains all information specified in Sections 1 and 3 herein and if it is presented on the form and with the attachments indicated in Section 4 herein.

(6) The annual financial reports of all political parties and movements are regarded as public records; it is possible to search in them and to make copies, duplicates or excerpts in the Office of the Chamber of Deputies.

## § 19

No political party or movement may accept free benefits and gifts from:

- a) the state (unless specified otherwise in this act of law),
- b) institutions receiving contributions for the state budget,
- c) all types of municipalities, except for rentals of commercial premises,
- d) state enterprises and legal entities in which the state or a state enterprise has a stake and legal entities partially managed and supervised by the state; this provision shall not be applied if the interest of the state or a state enterprise does not exceed 10%,
- e) legal entities partially owned by any type of municipality; this provision shall not be applied if the interest held by a municipality does not exceed 10%,
- f) beneficiary societies,
- g) other legal entities defined by special legal regulations,
- h) foreign legal entities, except for political parties and foundations,
- i) private individuals that are not citizens of the Czech Republic, except for foreign nationals having permanent residence in the Czech Republic.

## § 19a

(1) If a political party or movement accepts any financial benefit contrary to this act of law, it shall be obligated to return it, together with an interest based on the discount rate of the Czech National Bank valid as of the date of refund, to the donor by 1<sup>st</sup> April of the year following the year of its receipt at the latest. If such procedure cannot be applied for any reason, the political party or movement shall be obligated to transfer the received financial benefit to the state budget within the same time limit. If the financial benefit is not returned or transferred to the state budget by the political party or movement within the said time limit, the relevant inland revenue authority<sup>5)</sup> shall impose a fine totalling twice the amount of such financial benefit.

(2) All fines pursuant to Section 1 herein are regarded as revenues of the state budget. The fines pursuant to this Article may be imposed within 1 year following the date on which the relevant inland revenue authority learns that a political party or movement has not returned a financial benefit acquired contrary to this act of law to its donor or has not transferred it to the state budget. The fines pursuant to this Article may be imposed no later than 3 years after the year in which a financial benefit contrary to this act of law has been accepted.

(3) If according to the findings of the Chamber of Deputies, the facts specified in the annual financial report of any political party or movement contravene Article 19 of this act of law or are not supported by the evidence indicated in Article 18, Section 3, the Chamber of Deputies shall inform the relevant inland revenue authority.

## § 20

(1) All political parties and movements are entitled to state contribution upon the terms and conditions defined by the law.

(2) Operational allowances consist of permanent contributions and mandate contributions.

(3) Each political party and movement that presents its complete financial report (Article 18, Section 5) within the specified time limit (Article 18) is entitled to a permanent contribution or to a mandate contribution.

(4) Each political party and movement that manages to win at least 3% of the votes in the elections to the Chamber of Deputies is entitled to receive a permanent contribution.

(5) Each political party and movement of which at least one candidate has been elected to the Chamber of Deputies, the Senate, a regional council or the Municipal Council of the City of Prague (this provision also applies to candidates of coalitions of political parties and/or movements) in the elections to the Chamber of Deputies, the Senate, a regional council or the Municipal Council of the City of Prague is entitled to receive a mandate contribution.

(6) Each political party and movement that wins at least 3% of the overall amount of votes is entitled to receive a permanent annual contribution to its operational expenses

totalling CZK 6 million plus CZK 200,000 for every 0.1% up to 5%. No additional sum is paid to the political parties and movements that acquire more than 5% of the overall amount of votes.

(7) The aforementioned mandate contribution totals CZK 855,000 per year for every Senator or Deputy and CZK 237,500 per year for every member of a regional council or the Municipal Council of the City of Prague.

(8) The mandate contribution is paid during the entire electoral term only to the political party or movement in whose list of candidates the Senator, Deputy, member of a regional council or member of the Municipal Council of the City of Prague has been registered. If the elected Senator, Deputy, member of a regional council or member of the Municipal Council of the City of Prague is included in the list of candidates of a coalition, the mandate contribution shall be paid during the entire electoral term only to the political party or movement on whose list of candidates he/she has been registered. No mandate contribution shall be paid if the mandate of a Senator is terminated in the course of an electoral term or if a vacant mandate of a Deputy or a member of a regional council or the Municipal Council of the City of Prague is not filled.

(9) When determining whether a political party or movement operating as a part of a coalition is entitled to receive a permanent contribution and when calculating its amount, it is necessary to take into account the agreement of coalition members on their proportion in overall election results. If no such agreement exists or if it is not presented to the Ministry of Finance within the specified time limit, the election result shall be divided equally among all coalition members. The provisions of Section 3 herein remain unaffected. All political parties or movements operating as a part of a coalition shall present their agreements to the Ministry of Finance on the last day of the period in which the lists of candidates can be registered at the latest.

(10) If a coalition of political parties or movements is entitled to a permanent contribution but the agreements presented to the Ministry of Finance in compliance with Section 9 by its individual members differ, the Ministry of Finance shall suspend its payment of permanent contributions to all coalition members; as soon as the differences are eliminated, the Ministry of Finance shall pay out all outstanding contributions.

(11) In the year of the elections to the Chamber of Deputies, the Senate, regional councils or the Municipal Council of the City of Prague the annual operational allowance is calculated for each electoral term separately. Each political party and movement is entitled to one-twelfth of its annual operational allowance a month. In the month in which the elections take place, each political party and movement shall receive the higher of the two amounts to which it is entitled in accordance with its election results in both respective electoral terms. If the Chamber of Deputies is dissolved or if new elections to regional councils or to the Municipal Council of the City of Prague are held, each qualified political party and movement shall also be entitled to a proportional part of its annual mandate contribution for the month in which the Chamber of Deputies is dissolved or in which new elections to regional councils or to the Municipal Council of the City of Prague are held. If the mandate of any Deputy, Senator, regional councillor or member of the Municipal Council of the

City of Prague becomes vacant and is not filled or if the mandate of any Senator is terminated, a proportional part of the annual mandate contribution shall also be paid for the month in which any of the aforementioned circumstances occurs.

§ 20a

(1) In each electoral term all operational allowances shall be paid out by the Ministry of Finance at the request of individual political parties and movements in two biannual instalments in arrears. The instalment for the first half shall be paid out by 30<sup>th</sup> June and the instalment for the second half by 1<sup>st</sup> December. It is necessary to present a separate request for each instalment.

(2) The Ministry of Finance shall suspend its payment of operational allowance, if

- a) no annual financial report is presented to the Chamber of Deputies,
- b) the presented annual report is incomplete according to the findings of the Chamber of Deputies, or
- c) a legal action is launched pursuant to Article 15.

(3) An operational allowance whose payment has been suspended in compliance with Section 2 shall be paid out by the Ministry of Finance at the request of the relevant political party or movement if

- a) the political party or movement presents its annual financial report and it is complete in accordance with the findings of the Chamber of Deputies,
- b) a judicial decision rejecting a proposal for suspension of all activities of the political party or movement becomes legally effective and the activities of the political party or movement have not been suspended, or
- c) the activities of the political party or movement are renewed (Article 14, Section 3).

(4) The Chamber of Deputies checks once a year

- a) whether the annual financial reports presented by individual political parties and movements within the time limit defined in Article 18, Sections 1 and 2 herein are complete,
- b) whether the annual financial reports presented by individual political parties in previous years and classified by the Chamber of Deputies as incomplete have been completed and whether those annual financial reports which were not supplied at all in previous years have been provided; all incomplete annual financial reports must be completed and all due annual financial reports forwarded to the Chamber of Deputies within the time limit specified in Subsection a).

The Chamber of Deputies shall inform the Ministry of Finance of its findings on 7 June of each calendar year at the latest.

(5) The Ministry of Finance shall adjust the amount of the next instalment of operating allowance accordingly if the conditions determining its calculation change during the year.

§ 20b

(1) If the mandate of a Deputy, regional councillor or member of the Municipal Council of the City of Prague becomes vacant or if the mandate of a Senator is terminated (Article 20, Section 8), the Ministry of Finance shall stop paying the relevant mandate allowance in the period (Article 20a, Section 1) following the period in which the mandate became vacant or was terminated.

(2) All facts specified in Article 20, Section 8 must be reported by the Chamber of Deputies, the Senate, regional public administration authority or the Metropolitan Authority of the City of Prague to the Ministry of Finance at least 20 days before the due date of the next instalment of operational allowance.

(3) If the Deputy, regional councillor or member of the Municipal Council of the City of Prague replacing a Deputy, regional councillor or member of the Municipal Council of the City of Prague whose mandate has been vacated stood as a candidate of a different coalition party or movement than the original Deputy, regional councillor or member of the Municipal Council of the City of Prague, the Chamber of Deputies, the relevant regional council or the Municipal Council of the City of Prague shall report this fact to the Ministry of Finance within 20 days.

### **Transitory and Concluding Provisions**

#### § 21

(1) All political parties and movements established pursuant to Act No. 15/1990 Coll. on political parties and movements or regarded as such by the same Act are political parties and movements pursuant to this Act.

(2) Every political party and movement indicated in Section 1 shall modify its statutes within 6 months after the effective date of this act of law in compliance with Article 6, Section 2, Subsection b) and Article 6, Sections 3 and 4 and present the amended version to the Ministry within 10 days. Should any political party or movement fail to do so within the said time limit, the Ministry shall initiate proceedings leading to its dissolution [Article 13, Section 1, Subsection b)] or to suspension of its activities (Article 14).

#### § 21a

All political parties and movements registered in the Slovak Republic and operating in the territory of both republics before 31 December 1992 that wish to continue operating in the territory of the Czech Republic must apply for registration pursuant to this act of law by 30 June 1993. Otherwise, their right to operate in the territory of the Czech Republic shall be revoked.

#### § 21b

The Ministry of Finance shall issue an edict implementing Article 18, Section 3.

#### § 22

Act No. 15/1990 Coll. on political parties is declared null and void.

§ 23

This act of law shall become effective upon the date of its publication in the Collection of Laws.

Art. II of the law no. 340/2000 Official Gazette

**Transitory provisions**

1. Parties or movements registered through the Ministry of Interiors, whose charter does not correspond to the provisions of the law no. 424/1991 Official Gazette on association in political parties and political movements, according to this law, shall harmonize their charter according to the law no. 424/1991 Official Gazette on association in political parties and political movements, according to this law, within 9 months as of the date this law becomes effectual and shall present it according to the same terms to the Ministry of Interiors. Otherwise, the government shall submit the proposal of cessation of their activity.
2. According to the law no. 151/1997 Official Gazette on patrimony assessment, for the amendment of certain laws (the law on patrimony assessment), the parties or movements shall assess their patrimony held until the date this law becomes effectual. This assessment shall be attached to the yearly financial report presented to the Chamber of Deputies, as soon as this law becomes effectual.

Art. II of the law no. 556/2004 Official Gazette

**Transitory provisions**

The provisions of art. I points 7, 8, 9, 10, 12 and 16 shall be used for the first time for yearly financial reports of the parties or movements or for supplementing the yearly financial reports of the parties or movements, submitted to the Chamber of Deputies according to art. 18 line 1, in the year 2005.

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<sup>1)</sup> Act No. 83/1990 Coll. on association of citizens, as amended by Act No. 300/1990 Coll.

<sup>1a)</sup> For instance, Act No. 76/1959 Coll. on the service status of selected military personnel, as amended (full version – Act No. 361/1992 Coll.), Act No. 186/1992 Coll. of the Czech National Council on the service status of the officers of the Police of the Czech Republic, as amended by Act No. 26/1993 Coll. of the Czech National Council, and Act No. 555/1992 Coll. of the Czech National Council on the Prison Service and Judicial Guard of the Czech Republic.

1b) The Law no. 83/1990 Official Gazette on citizens' association, according to the law no. 300/1990 Official Gazette

<sup>2)</sup> For instance, Article 2b of Act No. 76/1959 Coll. on the service status of selected military personnel, as amended (full version – Act No. 361/1992 Coll.).



<sup>2)</sup> Act No. 2/1969 Coll. of the Czech National Council on the establishment of ministries and other central public administration authorities of the Czech Republic, as amended.

Act No. 347/1990 Coll. of the Slovak National Council on the organisation of ministries and other central public administration authorities of the Slovak Republic, as amended.

<sup>2a)</sup> Article 250m of the Rules of Civil Procedure.

<sup>2b)</sup> Act No. 513/1991 Coll., the Commercial Code, as amended.

<sup>3)</sup> Act No. 563/1991 Coll. on accounting.

<sup>3a)</sup> Act No. 41/1993 Coll. on the verification of conformity of copies or duplicates with original documents, on the legalisation of signatures by district and local authorities and on the issuance of certificates by local and district authorities, as amended by Act No. 15/1997 Coll.

<sup>4)</sup> Act No. 358/1992 Coll. on notaries and their activities (the Notarial Code of Conduct), as amended by Act No. 82/1998 Coll.

<sup>5)</sup> Act No. 531/1990 Coll. on territorial financial authorities, as amended.