

85/2005

LAW

of February 4th 2005

on political parties and movements

Amendment: 445/2008, valid as of January 1st 2009
Amendment: 568/2008, valid as of January 1st 2009
Amendment: 266/2010, valid as of January 11th 2009

The National Council of the Slovak Republic adopted this law:

FIRST PART

GENERAL PROVISIONS

§ 1

This law provides the conditions for establishing a political party or a political movement (hereinafter the “party”), the parties’ registry, the conditions for closing the party, the rights and obligations of the party, party’s management and funding, sanctions for non-observance of the obligations.

§ 2

By its decisions, program or actions, the party is forbidden to breach the Constitution of the Slovak Republic, the constitutional laws, international laws and contracts.

§ 3

- (1) Any citizen of the Slovak Republic having the permanent domicile in the territory of the Slovak Republic (hereinafter the “citizen”) who, at the date of voting, is 18 years old and able to exercise legal functions has the right to vote and to be voted within the party.
- (2) Any citizen being 18 years old and able to exercise legal functions has the right to be member of the party’s preparatory committee (hereinafter the “preparatory committee”), statutory body of the party or member of the party’s statutory body.

PART TWO

ESTABLISHMENT OF A PARTY, REGISTER OF PARTIES AND CREATION OF A PARTY

§ 4. Establishment of the party

- (1) Citizens shall have the right to establish a party and to be associated therein.
- (2) A party is a legal person to be registered in the Register of Parties. The Register of Parties is kept by the Ministry of Interior of the Slovak Republic (hereinafter the "Ministry").
- (3) Until a party is created, the preparatory committee shall act in matters related to its creation. The preparatory committee shall have at least three members.

§ 5. The Party Register

- (1) The Register of Parties is a public list where the data required by law in relation to the creation of a party, the changes of registered data and data related to the winding up and dissolution of a party shall be registered.
- (2) A part of the Register of Parties is the Collection of Deeds, which contains applications for commencing proceedings pursuant to this Act, including documents required by law, Ministry decisions, rulings of competent courts and other documents and deeds which the parties are obliged to submit to the Ministry pursuant to this Act.
- (3) The following data shall be entered in the Register of Parties:
 - a) Name of the party and its abbreviation;
 - b) Address of the party's seat;
 - c) Party's registration date and number;
 - d) First name, surname, birth number and permanent residence of the members of the preparatory Committee, with an indication of the person who is empowered to act in its name (hereinafter the "authorized representative");
 - e) Identification number of the party;
 - f) First name, surname, birth number and permanent residence of the statutory body or member of a statutory body, with an indication of the way the statutory body shall act in the name of the party;
 - g) Date and sequence number of the registration of a change related to the party's seat address, statutory body or statutes;
 - h) Date of registration of new statute;
 - i) Winding up of the party and the reasons for the winding up;
 - j) Entry of the party into liquidation, including the first name, surname and permanent address of the liquidator and the termination date of the liquidation; during the liquidation the name of the party shall use the addendum "in liquidation";

k) Declaration of bankruptcy, including the first name, surname and permanent address of the trustee and the termination date of the bankruptcy proceedings or the dismissal of a bankruptcy motion due to a lack of assets; during the bankruptcy proceedings the name of the party shall use the addendum “in bankruptcy”; and

l) The date and reason for the deletion of a party from the Register of Parties.

(4) The data entered in the Register of Parties shall take effect in respect of everybody as of the day of its entry.

(5) The data entered in the Register of Parties are accessible to everybody and are published by the Ministry on its website. The birth numbers of natural persons registered in the Register of Parties are not part of the published or accessible data.

§ 6. Creation of the party

(1) The party is established at the date of its registration with the parties’ registry (hereinafter the “party’s registration”).

(2) The proposal for registering the party is submitted by the ministry’s preparatory committee.

(3) The proposal must be written, signed by each member of the preparatory committee, and the signatures must be authenticated. ¹⁾ The proposal must provide the forename, name, personal identification numbers, and permanent domicile addresses of all members of the preparatory committee and there must also be provided the preparatory committee's authorized person.

(4) The following documents must be attached to the proposal:

a) List of citizens sustaining the party’s establishment; this list must contain at least 10,000 signatures, and the citizens must state their names, forenames, permanent domicile address as well as the series and number of the identity card (hereinafter the “list of citizens”);

b) The party’s charter (hereinafter the “charter”) according to line 5 in two counterparts;

c) Proof of payment of the charges, ²⁾

d) Statement containing the party’s headquarters’ address, providing the locality, name of the street and number of the house, signed by the authorized person; the headquarters must be in the territory of the Slovak Republic.

(5) The charter must include:

a) Name of the party and abbreviation, if used; the party’s name and abbreviation must be different from the name and abbreviation of another already registered party;

b) Party’s program, providing the purposes of the activity;

c) Rights and obligations of party’s members;

d) Party’s bodies, election method and limits of their powers;

e) Statutory body’s management method ³⁾ on behalf of the party, if other members or employees have rights, or the extent in which they can perform actions on behalf of the party;

f) Party’s management basis;

- g) Information on party's organizational units, if established, limits based on which assets may be obtained, managed and handled on behalf of the party, even for obtaining other rights over the assets, as well as management limits and undertaking of obligations on behalf of the party; party's organizational units are not legal entities;
- h) Method of managing the assets remained after a possible liquidation or regulation in case of party's dissolution.

§ 7. Party registration

- (1) The party's registration by the ministry shall start with the date of receiving the proposal, according to § 6.
- (2) The ministry shall analyze the proposal and ascertain the fulfilment of all registration conditions.
- (3) The ministry shall register the party within maximum 15 days as of submitting the proposal if the necessary conditions are fulfilled and if there is no reason to reject the proposal.
- (4) If all conditions provided at point 9 are fulfilled, but the attached proposal and documents have deficiencies, within 15 days as of starting the registration steps the ministry shall submit the authorized person a written notification, providing the irregularities and shall require their removal within a certain time, otherwise stopping the party's registration steps. The decision to stop the registration steps shall only be recorded with the file.
- (5) If the preparatory committee does not agree with the ministry's notification, within 15 days as of the receipt of such notification, it has the right to resort to the regional court ⁴⁾ in order to solve the issue; as of the date of such request the term provided at point 4 shall no longer be valid. The preparatory committee has the obligation to immediately notify the ministry on the option to resort to the court of law. The date of obtaining the court's decision favourable to the preparatory committee shall be the date the proposal's irregularities are eliminated.
- (6) The ministry shall register the party within 15 days as of the elimination of proposal's irregularities.
- (7) The decision to register the party shall not be issued. The ministry shall render the authorized party a counterpart of the charter containing the party's registration date and number (hereinafter the "registered charter").
- (8) The ministry shall stop the registration steps if the preparatory committee has not eliminated proposal's irregularities within the established term or if the court does not answer the application of the committee proving that there are no irregularities as concerns the registration proposal. The decision to stop the registration steps shall only be recorded with the file.
- (9) The ministry shall reject the party's registration within 15 days if:
 - a) The list of citizens does not comply with the provisions of § 6 point 4 let. a);
 - b) The preparatory committee, member or members of the preparatory committee do not comply with the conditions provided by this law;
 - c) Party's headquarters is not in the territory of the Slovak Republic;

- d) Party's name or abbreviation is not different from the name or abbreviation of another party already registered;
 - e) Party's charter does not comply with the provisions of § 6.
- (10) The decision to reject the party's registration shall be handed over directly to the authorized person. Recourse may not be made against the decision; the decision may be analyzed by the court. Action may be taken against the decision at the Supreme Court of Law of the Slovak Republic 5) (hereinafter the "Supreme Court"). The action must be taken and signed by all members of the preparatory committee. The validity date of the Supreme Court cancelling the decision to reject party's registration and the date the registration was resumed, shall be the date the party's registration is resumed. The ministry shall comply with the legal decision of the Supreme Court.

§ 8. Proceedings for the registration of a statutory body in the Register of Parties

- (1) The steps for choosing the statutory body on behalf of the party is performed by the authorized person recorded with the parties' registry. The authorized person may not hold legal positions on behalf of the party which, according to this law or to individual regulations, ⁶⁾ only the statutory body or the members of the statutory body may hold.
- (2) The statutory body must be chosen within three months as of the date of establishment of the party. In this purpose, the authorized person shall invite the highest body of the party, according to the recorded charter.
- (3) The party has the obligation to submit to the ministry the proposal for registration of the statutory body or of the members of the statutory body until the latest within four months as of the date of establishment. The decision of the highest body of the party, recorded with the recorded charter, signed by the chosen statutory body or by all the members of the chosen statutory body must be attached to the proposal.
- (4) If the proposal and the attached documents comply with this law, the ministry shall notify the statutory body in writing on the performance of the registration of the statutory body in the parties' registry, and the decision shall only be recorded in the file.
- (5) If the party does not submit to the ministry the proposal to register the statutory body or the members of the statutory body with the parties' registry and does not submit to the ministry the document according to point 3, the ministry shall specify in the parties' registry next to the name of the party, the wording "in liquidation" and the party may be able to perform only party annulment actions. The authorized person has the obligation to appoint a liquidator and notify the ministry immediately on his/her contact details, meaning the name, forename, personal identification number and permanent domicile address. If the authorized person does not notify the ministry on liquidators' contact information within 5 months as of the establishment of the party, the ministry shall appoint a liquidator in this respect.

§ 9. Change of party's seats

- (1) The statutory body has the obligation to propose the ministry the change of party's headquarters within 15 days as of the change.
- (2) According to point 1, this proposal must be accompanied by a statement on the change of party's headquarters address, signed by the statutory body or by a number of members of the statutory body provided in the charter, and all signatures must be authenticated. ¹⁾
- (3) If the proposal and the attached document comply with this law, the ministry shall notify the statutory body in writing on the change and shall provide the date and order number of the record of change of party's headquarters address. The decision shall only be recorded with the file.
- (4) If the proposal and the attached document do not comply with this law, within 15 days as of the commencement, the ministry shall send the statutory body of the party a written notification on the elimination of irregularities. If the party does not eliminate the irregularities within the established term, the ministry shall stop the registration. The decision on stopping the registration shall only be recorded with the file.
- (5) If the party's headquarters address is not in the territory of the Slovak Republic, the ministry shall refuse to change the party's headquarters address and shall submit the information to the general prosecutor ⁷⁾ in order to proceed according to § 17. The decision to refuse the record of changing the party's headquarters address shall be submitted to the statutory body. Recourse may not be made against the decision; it can be analyzed by the Supreme Court.

§ 10. Change of statutory body

- (1) The statutory body has the obligation to submit to the ministry in writing the proposal to change the statutory body, a member of members of the statutory body recorded in the parties' registry, within 15 days as of the date of the change.
- (2) The proposal, according to point 1, shall be submitted by the statutory body or by all members of the statutory body recorded in the parties' registry. The decision of party's body must be attached to this proposal, which, according to the recorded charter, is appointed to elect the statutory body; the decision shall be signed by the statutory body or by a number of members of the statutory body provided in the recorded charter, enough to be adopted, recorded in the parties' registry and by the new statutory body or by the members of the new statutory body; the signatures must be authenticated; ¹⁾ this is not valid unless the statutory body or the member of the statutory body has deceased or was declared deceased.
- (3) If the proposal and the attached documents comply with this law, the ministry shall notify the statutory body in writing on the registration and shall provide the date and order number of the record of change of the statutory body with the parties' registry. The decision shall only be recorded with the file.

- (4) If the proposal and the attached documents do not comply with this law, within 15 days, the ministry shall submit the statutory body a written notification in order to remedy the irregularities. If the party does not eliminate the irregularities within the established term, the ministry shall stop the registration. The decision on stopping the registration shall only be recorded with the file.

§ 11. Change of registered charter

- (1) The statutory body has the obligation to submit the proposal for recording the amendment of recorded charter within 15 days as of the approval of the amendments. The following must be attached to the proposal:
 - a) Decision of party's body, provided in the recorded charter, on the amendment of the charter, signed by the statutory body or by a number of members of the statutory body enough to adopt this decision; the signatures must be authenticated; ¹⁾
 - b) Amendments of the charter shall be issued in two counterparts.
- (2) If the proposal and the attached documents comply with this law, the ministry shall submit to the statutory body a copy of the amendments of the charter containing the date and order number of the record of amended charter. The decision shall only be recorded with the file.
- (3) If the proposal and the attached documents do not comply with this law, within 15 days as of the commencement date, the ministry shall submit the statutory body a written notification in order to remedy the irregularities. If the party does not eliminate the irregularities within the established term, the ministry shall stop the registration. The decision on stopping the registration shall only be recorded with the file.
- (4) If the amendment of the charter does not comply with § 6 line 5, § 7 line 9 let. d) or § 7 line 9 let. e), the ministry shall refuse the registration of the amended charter and shall inform the general prosecutor ⁷⁾ in order to proceed according to § 17. The decision on refusing the amendment of the charter shall be submitted personally to the statutory body. Recourse may not be made against the decision; the decision may be analyzed by the Supreme Court.
- (5) If necessary, the party may issue the complete charter and may send a copy to the ministry in order to be attached to the lists file. The complete charter shall not provide the date and order number of the party, nor the date and order number of the registration of amended charter.

§ 12. Proceeding for the registration of new articles in the Register of Parties

- (1) The party may adopt new charters. New charters must contain provisions on the cancellation of recorded charters, providing the number and date of registration, including all dates and order numbers of amended charters, registered with the parties' registry.
- (2) The statutory body has the obligation to submit the proposal for recording the new charters within 15 days as of their approval. The following must be attached to the proposal:
 - a) Decision of party's body, provided in the recorded charter, on the approval of new charters, signed by the statutory body or by a number of members of the statutory body enough to adopt this decision; the signatures must be authenticated; ¹⁾
 - b) New charters shall be issued in two counterparts.
- (3) If the proposal and the attached documents comply with this law, the ministry shall submit to the statutory body a copy of the new charters, containing the date and order number of the party as well as the date of recording the new charters in the parties' registry, with the mention "New Charters". Starting with the date of registration of these new charters with the parties' registry, they shall become recorded charters. The decision shall only be recorded with the file.
- (4) If the proposal and the attached documents do not comply with this law, within 15 days as of the commencement date, the ministry shall submit the statutory body a written notification in order to remedy the irregularities. If the party does not eliminate the irregularities within the established term, the ministry shall stop the registration. The decision on stopping the registration shall only be recorded with the file.
- (5) If the new charters do not comply with § 6 line 5, § 7 line 9 let. d) or § 7 line 9 let. e), the ministry shall refuse the registration of the new charters and shall inform the general prosecutor ⁷⁾ in order to proceed according to § 17. The decision on refusing the registration of the amendment of the charters shall be submitted personally to the statutory body. Recourse may not be made against the decision; the decision may be analyzed by the Supreme Court.

PART THREE

DISSOLUTION AND CEASE OF EXISTANCE OF THE PARTY

§ 13. Dissolution of a party

- (1) The party shall disappear at the moment the ministry cancels the party from the parties' registry.
- (2) Before its disappearance, it must be annulled by liquidation or without liquidation.
- (3) Liquidation must not be performed if
 - a) Assets and obligations are passed to another already existing party, which is the legal successor of the annulled party;
 - b) The party has no assets;

- c) The proposal to declare bankruptcy has been rejected due to insufficient assets or bankruptcy declared on party's assets has been cancelled due to the fact that it is not enough for the reimbursement of expenses and payment of the director or after the completion of the bankruptcy steps, the party has nothing else.
- (4) The proposal to cancel the party from parties registry shall be submitted to the ministry by:
 - a) The authorized person (§ 8 line 5),
 - b) The statutory body, ³⁾
 - c) The liquidator.
- (5) The cancellation of the party from the parties' registry shall be notified by the ministry to the person submitting the proposal according to point 4; the decision shall only be recorded with the file.
- (6) The ministry shall cancel the party from the parties' registry without anyone else's proposal if the law provides this.

§ 14. Cease of existence of the party

- (1) The party is annulled:
 - a) By voluntary annulment
 - b) By merger with another party
 - c) By declaring the bankruptcy or rejecting the proposal to declare the bankruptcy due to insufficient assets
 - d) By decision of the Supreme Court or
 - e) Due to other reasons resulting from this law (§ 8 line 5 and § 34 line 4).
- (2) After the annulment of the party, it may only perform activities related to the annulment of the party, if their competencies are not passed to the legal successor or liquidator.

§ 15. Annulment of the party without liquidation

- (1) If liquidation is not necessary according to § 13 line 3, the party shall be annulled without liquidation.
- (2) The proposal to cancel the party from the parties' registry shall be submitted within five days as of the party's annulment.
- (3) If the party is annulled voluntarily, the proposal to cancel the party from the parties' registry must be submitted by the statutory body. The following must be attached to the proposal:
 - a) Decision of party's body, provided in the recorded charter, on the voluntary annulment of the party, signed by the statutory body or by a number of members of the statutory body enough to adopt this decision; the signatures must be authenticated; ¹⁾

- b) Statement, resulting into the fact that the liquidation is not necessary according to § 13 line 3 let. b) or let. c), signed by the statutory body or by a number of members of the statutory body enough to adopt this decision; the signatures must be authenticated. ¹⁾
- (4) If the party is annulled by merger with another party, the proposal to cancel the party from the parties' registry shall be submitted by the statutory body of the party annulled by merger. The following must be attached to the proposal:
- a) Decision of party's body, provided in the recorded charter, on the annulment of the party by merger with another party, signed by the statutory body or by a number of members of the statutory body enough to adopt this decision; the signatures must be authenticated; ¹⁾
 - b) Written agreement on the parties' merger.
- (5) The agreement, according to point 4 line b) must be signed by the statutory body or by a number of members of the statutory body enough to adopt it; the signatures must be authenticated. ¹⁾ The agreement must include:
- a) Merging the parties' marks, providing the dates and registration numbers of both parties;
 - b) Details on the assets and obligations of the party annulled by merger;
 - c) Identification data of the legal successor of the annulled party.
- (6) If the party is annulled due to the fact that the proposal to declare bankruptcy over party's assets has been rejected, due to the fact that they were insufficient, or the bankruptcy over party's assets has been cancelled due to the fact that the assets did not cover the expenses or the remuneration of the director or if after the completion of the bankruptcy steps the party has no more assets, the ministry shall cancel the party from parties' registry, even without any proposal in this respect.
- (7) If the proposal and the attached documents do not comply with this law or contain incomplete or incorrect information, within 15 days, the ministry shall submit the statutory body a notification in order to remedy the irregularities. All steps shall be stopped until the solving of the issues; the decision on stopping the steps shall only be recorded with the file.
- (8) The ministry shall perform the cancellation of the party within five days as of the commencement or within five days as of the removal of all irregularities due to which the steps had been stopped.

§ 16. Annulment of the party with liquidation

- (1) Party's entrance into liquidation procedure shall be recorded with the parties' registry. The party's body shall decide on the annulment of the party with liquidation, body which is provided in the recorded charter and which has the obligation to immediately appoint the liquidator. The liquidator is forbidden to be member of the concerned party, unless the law provides otherwise. The reimbursement of reasonable expenses and remuneration of the liquidator shall be paid from party's asses.

- (2) The annulment of the party and details recorded with the parties' registry shall be notified to the ministry by the liquidator within five days as of the party's annulment. By registration, the activity of the statutory body shall be passed to the liquidator provided in the parties' registry.
- (3) The liquidator shall execute on behalf of the party only the activities concerning party's liquidation.
- (4) A separate regulation shall be observed in case of party's liquidation. ⁸⁾ If assets remain after the completion of the liquidation, the liquidator shall manage them according to the method provided in the charter, according to § 6 line 5 let. h).
- (5) The proposal to cancel the party from the parties' registry shall be submitted by the liquidator within 30 days as of the completion of the liquidation.

§ 17. Dissolution of the party by the Supreme Court

- (1) The general prosecutor has the right to propose the dissolution of the party, ⁷⁾ if the party does not agree with § 2. The Supreme Court shall decide on the proposal.
- (2) Before issuing the decision on the dissolution of the party, the Supreme Court shall ascertain if the party has any assets. In case of absence of assets, the Supreme Court shall dissolve the party without liquidation. If assets are ascertained, the Supreme Court shall impose their liquidation, shall appoint a liquidator from among the persons registered in liquidators' list kept by the Ministry of Justice of the Slovak Republic, according to an individual regulation. ⁹⁾ The liquidator is not allowed to be member of the concerned party. The reimbursement of reasonable expenses and remuneration of the liquidator shall be paid from party's assets.
- (3) The legal decision on party's dissolution shall be submitted by the Supreme Court to the ministry as well as to the Ministry of Finance of the Slovak Republic (hereinafter the "Ministry of Finance").
- (4) The ministry shall cancel the party from the parties' registry even without receiving the proposal, if the party has been dissolved by the Supreme Court by legal decision.

§ 18. Relationship between the Ministry and the Statistical Office of the Slovak Republic

- (1) The establishment of the party and its name, abbreviation, address of headquarters and date of registration must be submitted by the ministry to the Institute of Statistics of the Slovak Republic (hereinafter the "Institute") within seven days.
- (2) The institute shall inform the ministry on the party's identification number within ten days as of the acceptance of the information from the ministry according to point 1.
- (3) The ministry shall inform the institute within seven days on the registration of new information with the parties' registry.
 - a) Name of the party and abbreviation;
 - b) Address of party's headquarters;

- c) Forename, name and permanent domicile address of the persons which is the statutory body or member of the statutory body;
 - d) Entrance of the party in liquidation procedure, including the forename, name and permanent domicile address of the liquidator;
 - e) Declaring the bankruptcy, including the forename, name and permanent domicile addresses of the bankruptcy manager and completion of the bankruptcy or rejection of the proposal to declare the bankruptcy due to absence of funds.
- (4) The disappearance of the party and date of cancellation of the party from the parties' registry shall be notified to the institute by the ministry within seven days as of the cancellation of the party from the parties' registry.

§ 19. Legal protection

- (1) If a member of the party considers the decision of party's body as illegal or in contradiction with the charter, within 30 days as of the date of making such a decision, he/she may require the regional court to analyse the decision.
- (2) A legal decision in this respect, according to point 1 shall be submitted by the court to the ministry.
- (3) The application of party's member according to point 1, submitted to the ministry has no legal effects, but shall be attached to the lists collection.

PART FOUR

PARTY ECONOMIC MANAGEMENT AND FUNDING

§ 20. Economic management

- (1) The party shall be liable for its obligations by all its assets. The members of the party shall not be liable nor guarantee for party's obligations.
- (2) The party is not allowed to develop business in its name or to conclude silent partnership agreements. ¹⁰⁾
- (3) The party may establish or become shareholder of a trade company, but it must be the founder or sole shareholder; the trade company may be established only for developing the business. ¹¹⁾
- (4) The object of activity of the trade company established by the party or within which the party is sole shareholder may only be:
 - a) Publishing and printing house activities;
 - b) Publication and propaganda activities;
 - c) Manufacture and sale of party's program and activity propaganda materials;
 - d) Organization of educational and political events;
 - e) Management of party's assets.

- (5) The trade company established according to point 3 may not candidate nor express its interest in participating to public purchaser if the client is a legal entity, according to a special law. ¹²⁾
- (6) The party has the obligation to have double-entry book-keeping according to the individual regulation. ¹³⁾

§ 21. Costs related to elections to the National Council of the Slovak Republic

- (1) The party has the obligation to keep a separate analytical evidence in its book-keeping for expenses made for elections within the National Council of the Slovak Republic ¹⁴⁾ (hereinafter the “elections”).
- (2) The party has the obligation to draft a preliminary report on expenses made for elections (hereinafter the “preliminary report”) and a final report on the expenses made for elections (hereinafter the “final report”).
- (3) The preliminary report is drafted by the party during the period of time starting with the date of declaring the elections and ending 30 days before starting the elections. The preliminary report shall be submitted by the party to the ministry of finance the latest 21 days before the beginning of elections, listed, as well as in electronic form. Party’s preliminary report is public, except for donor’s personal identification number. The report may be copied; information may be excerpted from it at the ministry of finance. The preliminary report shall be published by the ministry of finance on its website within seven days as of its receipt, being able to be accessed until the publication of the final report according to point 4.
- (4) The final report is drafted by the party for the period of time starting with the date of declaring the elections until the date of ending of the elections. The final report is submitted by the party to the ministry of finance within 30 days as of the end of the elections, listed, as well as in electronic form. Party’s preliminary report is public, except for donor’s personal identification number. The report may be copied; information may be excerpted from it at the ministry of finance. The party’s final report shall be published by the ministry of finance on its website within 30 days as of its receipt.
- (5) Preliminary and final reports shall contain:
 - a) The list of expenses made for the polling before the elections, and for the polling during the elections;
 - b) The list of expenses for rents and payments for publication in periodical magazines, ¹⁵⁾
 - c) The list of expenses made for political commercial, according to individual regulations ¹⁶⁾
 - d) The list of expenses made for electoral posts and other types of information situated in special arranged places by the locality’s management, according to the individual regulations ¹⁶⁾
 - e) The list of expenses for discounts granted to political parties’ members during electoral campaigns ¹⁷⁾ and of expenses made for discounts granted to parties’ employees during the electoral campaign.
 - f) The list of all other expenses of the party for distributing the activity and program
 - g) The list of party’s incomes according to § 22 line 1 let. b) and h) during the period of time for which the preliminary and final reports are drafted,
 - h) A separate record of the incomes from loans and credits according to § 22 line 2 and a separate record of donations and other achievements according to § 22 line 3 achieved during the term for which the preliminary and final reports are drafted.

- (6) The day of performing the polling from citizen's point of view, the day of the commercial or dissemination are final for including the expenses according to point 5 let. a) to f) in the preliminary and final report.
- (7) If the preliminary or the final report does not include all pieces of information or if the information is not complete, the ministry of finance shall notify the party so that within 15 days as of the receipt of the notification to eliminate all irregularities.

§ 22. Party income

- (1) Party income may result from:
 - a) Incomes from member subscriptions
 - b) Incomes from donations and other non-refundable funds
 - c) Incomes from inheritances
 - d) incomes from renting or selling movable and immovable assets
 - e) Incomes from bank interests
 - f) Percentage incomes from trade company's business
 - g) Dividends from traded securities ¹⁸⁾
 - h) Incomes from loans and credits
 - i) Incomes from the state budget.
- (2) The party has the obligation to keep a separate record of the incomes from loans and credits, including on the date of receipt of the loans and credits, the borrowed or credited amounts as well as of their maturity and reimbursement. The separate record shall provide the forename, name and permanent domicile address in case of a natural person or the trade name, identification number and headquarters address in case of a legal entity.
- (3) The party has the obligation to keep a separate record of donations and other non-refundable funds, including the date of receiving the donations or other non-refundable funds, the amounts and identification data of the donor or identification data of the contractual party that offered the non-refundable funds.
- (4) The party has the obligation to keep a separate record of members' contributions, including the forenames and names of party's members and their permanent domicile addresses, in case of members whose contributions during the year exceed euro 829. Members' contributions exceeding the amount of euro 500 shall not be received by the party in cash.

§ 23. Gifts and other benefits in kind

- (1) The party may receive donations or other non-refundable funds if this law does not provide otherwise. The party may receive donations or other non-refundable funds only based on a written agreement according to this law. The provisions of the individual regulation ¹⁹⁾ shall not be influenced.
- (2) The donation agreement must contain:

- a)
 1. Forename, name, personal identification number, permanent domicile address, in case of a natural person and in case of legal entities – contractor and trade name, identification number and place of performance of the activity
 2. Name or trade name, address of the headquarters, identification number, fiscal code, legal form and forename, name, permanent domicile address, personal identification number of the person which is the statutory body or member of the statutory body, in case of legal entity.
 - b) Identification number of the receiver of the donation, name, address of the headquarters, identification number, and in case of financial donation the trade name of the bank or branch and account number of the receiver.
 - c) Details on donation's object, meaning:
 1. Value of financial donation
 2. Exact marking of the movable assets, excluding the exchange with another movable asset, and its value, according to the assessment of an expert
 3. In case of immovable assets, marking of the real estate according to the cadastral details, including the value of the real estate according to the legal expertise.
 - d) Place and date of conclusion of the donation agreement
 - e) Authenticated signature of the donor ¹⁾ at the date of signing the agreement or the latest at the date of the donation; in case of a donation smaller than euro 500, the agreement may be signed by an authorized person of the party.
- (3) By non-refundable funds shall be understood, according to this law:
- a) Lease of movable or immovable assets
 - b) Performance of a service free of charge
 - c) Value of a party's debt, taken over by a natural person or legal entity
 - d) Difference between the normal purchase or rental price of a movable or immovable asset and the price established by common consent, which the party shall pay to the natural person or legal entity, if the established price is smaller than the real one; the real price shall be the price at which such a movable or immovable asset is normally sold or rented, or
 - e) Difference between the normal price for the performance of a service and the usual price, which the party shall pay to the legal entity or natural person, if the price established by common consent is smaller than the real one; the real price shall be the market price that should have been paid for the performance of such a service.
- (4) The party has the obligation to publish at each three months the list of donors on its website, within 30 days as of the end of each 3 months term. The list of donors must include the forenames, names and permanent domicile addresses of the donors in case of natural persons - contractor and trade name in case of legal entities, name or trade name and headquarters address and value of the financial donation.
- (5) The provisions of point 2 shall apply in case of non-refundable funds agreement.

§ 24. Prohibition of accepting gifts and other benefits in kind

- (1) The party may not receive donations and other non-refundable funds from:
 - a) the State, the National Ownership Fund of the Slovak Republic, the Real Estate Fund of the Slovak Republic, larger localities or territorial units;
 - b) Legal entities established by the state, the Ownership Fund of the Slovak Republic, the Real Estate Fund of the Slovak Republic, or by larger localities or territorial units;
 - c) Legal entities whose assets are partially held by the State, the Ownership Fund of the Slovak Republic, the Real Estate Fund of the Slovak Republic, or by larger localities or territorial units;
 - d) Civil associations, ²⁰⁾ foundations, ²¹⁾ non-profit organizations performing community services, ²²⁾ non-investment funds, ²³⁾ legal entities shareholders, ²⁴⁾ municipal associations, ²⁵⁾ extraneity organizations, ²⁶⁾
 - e) Public institutions and other legal entities established by the law;
 - f) Natural person that is not citizen of the Slovak Republic;
 - g) Legal entity headquartered abroad, if the majority shareholder is not citizen or legal entity headquartered in the territory of the Slovak Republic, not part of a political party or group of political parties or legal entities whose founder or majority owner is a political party;
 - h) Natural person or legal entity, donor on which no details or information may be given as concerns a certain agreement for other non-refundable funds, which can not be identified.
- (2) The party may receive a financial donation in cash from a donor only once during a calendar year, in amount of maximum euro 5000.

§ 25. Contributions from the state budget

Party's contributions from the state budget are:

- a) Contributions for votes obtained after elections (hereinafter only « contributions for votes »)
- b) Contributions for activity
- c) Contributions per mandate.

§ 26. Contributions for votes

- (1) The party shall receive contributions for votes according to the individual regulation. ¹⁴⁾
- (2) The contributions for votes shall be granted to the party by the ministry of finance after notifying the information on the number of validated votes for each party or coalition:
 - a) Within 30 days as of submitting the preliminary and final report, unless irregularities are ascertained,
 - b) Within 30 days as of eliminating the irregularities found in the preliminary and final report according to the notification of the ministry of finance.

- (3) If the party participated to elections as part of a coalition with another party or other parties, the financial contribution may be cashed in by the party according to a written agreement between the parties, providing which party shall receive the contribution or which parties shall receive the contribution and in which percentage.
- (4) The contribution shall not be paid to the party that did not submit the preliminary or final report or that did not submit the yearly report for the previous calendar year, even if it had this obligation according to § 30 line 1.

§ 27. Contributions for activity

- (1) Each party obtaining contributions for votes has the right to contributions for activity. If the party participated to elections as part of a coalition with another party or other parties, the financial contribution may be cashed in by the party according to a written agreement between the parties, providing which party or which parties shall receive the contribution and in which percentage. The right to contribution for activity shall be granted for the entire month of the elections and shall expire at the end of the month preceding the month in which the following elections take place.
- (2) The contribution for activity equals the total amount of the contribution for votes divided to 48. In the elections year maximum three parts of the amount shall be paid, and for each full year of mandate shall be paid 12 parts and in the year of the following elections the rest of the amount shall be paid. If the activity of the National Council of the Slovak Republic is concluded before the end of the mandate, the remained parts shall be decreased by the number of months the mandate was shortened.
- (3) The contribution for activity shall be paid:
 - a) In the election year within 30 days as of the payment of the contribution for votes according to § 26,
 - b) During the mandate within 30 days as of the submission of the yearly report according to § 30
 - c) During the year of the following elections, within 30 days as of the announcement of the term of the elections.
- (4) The contribution for activity shall not be paid to the party that did not submit the preliminary and final report or that did not submit the yearly report for the previous calendar year and that had this obligation according to § 30 line 1.
- (5) If the party has been annulled, it has the right to receive the financial parts related to the period of activity for the concerned year, until the date of annulment and for each calendar month in progress. If the party has been annulled after cashing in the contribution for activity, the party's attorney-at-law or the liquidator has the obligation to return to the state budget the amounts of this contribution for activity for the period of time after the annulment of the party, within 30 days as of the annulment of the party.

§ 28. Contribution for mandate

- (1) Depending on the number of mandates obtained within the National Council of the Slovak Republic, the party has the right to contribution for mandate in amount of: multiple of the average nominal monthly salary in the Slovak Republic, amount ascertained by the institution, for the calendar year previous to the year in which the elections took place (hereinafter the “average salary”). For each obtained mandate, within the limit of 12 mandates, the party has the right to contribution for mandate in amount multiple of 30 of the average salary. For the twenty first mandate and for all following mandates, the party has the right to contribution for mandate in amount multiple of 20 of the average salary.
- (2) The contributions for mandate shall be paid for one year and one mandate during the entire term of the party for which the counsellor was nominated. If the party was nominated within a coalition, the contribution for mandate shall be paid to that party that has obtained the mandate. The party has the right to contribution for mandate during the entire month of the elections. This right shall be cancelled at the end of the month previous to the month of the following elections.
- (3) The contribution for mandate shall not be paid to the party that did not submit the preliminary and final report or that did not submit the yearly report for the previous calendar year and that had this obligation according to § 30 line 1.
- (4) The contribution for mandate is paid to the party by the ministry of finance, each year during the elections, until the end of July.
- (5) During the elections year, the party shall be paid the corresponding contribution for mandate according to point 2, within 60 days as of the announcement of elections’ results.
- (6) If the activity of the National Council of the Slovak Republic is concluded before the end of the mandate, the party has the right to the contribution for mandate depending on the term of the mandate. The provision of point 2 shall remain valid. If the activity of the National Council of the Slovak Republic is concluded before the end of the mandate and if the party has cashed in the contribution for mandate, it has the obligation to return to the state budget the amounts of the contribution granted related to the period of time after the conclusion of the activity of the National Council of the Slovak Republic, within 14 days as of the conclusion of the activity.
- (7) If the party has been annulled, it has the right to a share of the contribution for mandate for the concerned year, until the date of annulment, in amount of 1/12 of the contribution for mandate for each started calendar month. If the party has been annulled after the date of payment of the contribution for mandate, the attorney-at-law or liquidator of the party has the obligation to return to the state budget the amounts of the contribution for mandate related to the period of time after the party's annulment, within 14 days as of the annulment.

§ 29. Restricted use of contributions

Contributions from the state budget according to § 25 shall not be used by the party for:

- a) Loans or credits to natural persons or legal entities

- b) Silent partnership agreements, ¹⁰⁾
- c) Business of the trade company established by the party or in which the party is sole shareholder
- d) Pledge on behalf of natural persons or legal entities
- e) Donations
- f) Payment of fines or other financial sanctions.

§ 30. Yearly report

- (1) The party has the obligation to draft the yearly report for the previous calendar year. The yearly report for the previous calendar year shall be submitted by the party to the National Council of the Slovak Republic, each year until April 30th. Yearly report must be submitted both listed and in electronic form. Party's yearly report is public and may be inspected, copied or information can be excerpted from it at the National Council of the Slovak Republic or at another court of law authorized in this respect. Parties' yearly reports shall be published on the website of the National Council of the Slovak Republic according to a decision issued by it, by the secretary of this institution or by another institution authorized in this respect, the latest on July 31st of the calendar year. Natural persons' personal identification numbers are not part of the published information.
- (2) The yearly report shall include:
 - a) The accounting balance sheet for the accounting period, verified by an auditor appointed by the Chamber of Commerce of the Slovak Republic, drawn cuts from the list of authorized auditors until the date of February 28th of the concerned year in the presence of at least two members of the National Council of the Slovak Republic. ²⁷⁾ The Chamber of Commerce shall draw cuts the auditor among the auditors that have previously declared that they have no conflict of interests with the performance of this audit for political parties.
 - b) The information referring to party's financial statements, for at least two immediately previous accounting periods,
 - c) Information referring to any important events ¹³⁾ that took place after the end of the accounting period for which the yearly report has been drafted,
 - d) Information referring to the decision to distribute the profit or to regulate the loss,
 - e) The divided report of party's incomes according to § 22 line 1,
 - f) A separate record of the incomes from loans and credits according to § 22 line 2,
 - g) A separate record of the donations and other non-refundable funds according to § 22 line 3,
 - h) Information on the observance of tax obligations,
 - i) Number of members of the party on December 31st of the calendar year for which the yearly report is drafted and submitted,
 - k) Amount of cashed membership contributions and a separate record of the membership contributions according to § 22 line 4,

- m) Report of overdue financial obligations,
 - n) Accounting balance sheet of the trade company founded by the party or in which the party is sole shareholder, for the accounting period for which the yearly report is submitted.
- (3) Except for the accounting balance sheet, according to point 2 let. a), the auditor shall also verify the compliance of the yearly report with the accounting balance sheet drafted for the same accounting period and the compliance of party's management with this law. Auditor's report on the yearly report is part of the yearly report submitted by the party to the National Council of the Slovak Republic.
- (4) The auditor verifying the accounting balance sheet according to point 2 let. a) has the right to request to the party's statutory body all information and documents necessary for performing the audit.
- (5) If the yearly report does not contain information according to point 2 and the auditor's report, according to point 3, if the information is not correct or complete or if the yearly report results into the fact that the law has been breached, the National Council of the Slovak Republic or an institution authorized in this respect shall send the party a summon requiring the elimination of all irregularities within the provided term, the latest until July 30th of the concerned calendar year.
- (6) The observance or non-observance of the obligations according to point 1 and points 2 and 3 shall be pointed out to the ministry of finance by the National Council of the Slovak Republic or by an institution authorized in this respect, until May 31st of the concerned calendar year. If the yearly report, according to the notification of the National Council of the Slovak Republic or of an institution authorized in this respect, does not include all pieces of information or if the information is incomplete or incorrect, the Ministry of Finance shall stop the payment of contributions for activity and for mandate until the notification of the National Council of the Slovak Republic or of an institution authorized in this respect, on the elimination of irregularities within the established term. If the party eliminates the irregularities within the yearly report within the established term, the Ministry of Finance shall pay the party the contributions for activity and for mandate for the period of time during which this payment has been interrupted.

§ 31. Administrative offences

- (1) The ministry shall enforce on the party a contravention up to euro 3319 if the party does not submit the ministry the proposal to amend the information registered with the parties' registry within the term provided at § 9 line 1, § 10 line 1 and § 11 line 1 and the proposal to register the new charters with the parties' registry within the term provided at § 12 line 2.
- (2) The Ministry of Finance shall enforce on the party a contravention of :
- a) Up to euro 3319 if the party:
 - 1. Does not submit to the Ministry of Finance the preliminary and final report within the term provided at § 21,
 - 2. Does not submit to the National Council of the Slovak Republic the yearly report within the term provided at § 30,

3. Does not eliminate the ascertained irregularities within the term provided at § 21 line 7 or § 30 line 5,
 - b) In amount of double the donation or other non-refundable funds if the party has received the donation or other non-refundable funds and did not observe this law.
- (3) The contraventions, according to points 1 and 2 may be enforced within one year as of the date the Ministry or the Ministry of Finance found out about the breach of the law, the latest within three years until the date of breach of the law.

§ 32

The financial control for observing the conditions for granting the contributions from the state budget as well as their proper use shall be performed by the financial control administration.

PART FIVE

ORDINARY, TEMPORARY AND FINAL PROVISIONS

§ 33

General regulations on good performance apply to the execution of this law, ²⁸⁾ unless otherwise provided by this law.

§ 34

- (1) Parties set up according to the existing regulations are parties that comply with this law.
- (2) The steps referring to the contraventions' order until May 31st shall be concluded according to the existing regulations; the contravention may not exceed the amount of euro 3319.
- (3) Parties registered according to the existing regulations are obliged to submit to the Ministry, until September 30th 2005:
 - a) The statement on party's headquarters address signed by the statutory body or by all members of the statutory body,
 - b) The statement providing the information on the forename, name, personal identification number and permanent domicile address of the person which is the statutory body or member of the statutory body, on the method of exercising the function of statutory body on behalf of the party; the statement must be signed by the body or by all members of the statutory body; signatures must be authenticated. ¹⁾
- (4) The party that does not fulfil its obligations according to point 3 may be recorded by the ministry in the parties' registry followed by the wording "in liquidation" on October 1st 2005 and the party shall be able to perform only activities related to party's annulment. Until October 15th 2006 the party has the obligation to appoint a liquidator and to notify all his/her contact information to the ministry (name, forename, personal identification number, permanent domicile address). If the party does not notify the ministry until October

15th 2006 on liquidator's contact information, the ministry shall appoint the liquidator as statutory body and if the party does not have a statutory body, the ministry shall appoint the authorized person.

- (5) The submission of yearly financial reports for the years 2004 and 2005 shall be done according to the existing regulations.
- (6) If the party is not the sole founder or sole shareholders of the trade company, it has the obligation to state its own legal status within this trade company according to § 20 lines 3 and 4 the latest until May 31st 2006.
- (7) The rights to the contribution from the state budget, according to the existing regulations, shall be cancelled at the end of the month previous to the month in which the elections shall take place after the enactment of this law. The provisions of this law referring to the contributions from the state budget shall be first used after the elections that are to take place after the enactment of this law.

§ 34a. Temporary provisions for the amendment effectual as of January 1st 2009

The steps concerning the contraventions ordered before January 1st 2009 shall be completed according to the existing regulations.

§ 34b

The contribution for activity in 2012, according to § 27 line 2, second sentence, shall be calculated out of the total amount of the contribution for votes according to the individual regulation, 28a) divided to 48. The contribution for activity for the following years shall equal the amount of the contribution for votes calculated according to the individual regulation, 28b) divided to 48.

§ 35

There shall be abrogated:

1. The Law no. 424/1991 on the association in political parties and political movements, within the meaning of law no. 468/1991, the law of the National Council of the Slovak Republic no. 47/1993, the law of the National Council of the Slovak Republic no. 43/1994, the law no. 404/2000, the law no. 152/2001 and conclusion of the Constitutional Court of the Slovak Republic no. 386/2001,
2. The law of the National Council of the Slovak Republic no. 239/1994 on the limitation of political parties and political movement's expenses for dissemination of elections for the National Council of the Slovak Republic within the meaning of the law no. 115/2001.

§ 36. Entry into force

This law shall be enacted on June 1st 2005.

Ivan Gašparoviè v. r.

Pavol Hrušovský v. r.

Mikuláš Dzurinda v. r.

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- 1) § 58 of the law of the National Council of the Slovak Republic no. 323/1992 on notaries and notaries' activity (Code of Notaries Public) with the further amendments and supplementing. The Law no. 599/2001 on the authentication of lists and signatures on regional and local lists within the meaning of law no. 515/2003
 - 2) The law of the National Council of the Slovak Republic no. 145/1995 on proper charges with the further amendments and supplementing
 - 3) § 20 line 1 of the Civil Code.
 - 4) § 250ze of the Civil Procedure Code
 - 5) § 247 to 250k of the Civil Procedure Code
 - 6) For example the law no. 333/2004 on elections for the National Council of the Slovak Republic
 - 7) § 14 line 2 let. e) of law no. 153/2001 on prosecutor's office.
 - 8) § 70 to 75a of the Commercial Code.
 - 9) The Law no. 8/2005 on directors and on the supplementing of certain laws.
 - 10) § 673 to 681 of the Commercial Code.
 - 11) § 2 line 1 of the Commercial Code.
 - 12) § 4 of the law no. 523/2003 on public purchases and on the amendment of law no. 575/2001 on the organization of government's activity and on the organization of central state administration with the further amendments and supplementing.
 - 13) The Law no. 431/2002 on book-keeping, with the further amendments and supplementing;
 - 14) The Law no. 333/2004
 - 15) § 3 line 1 of the law no. 81/1966 on periodical press and other mass information methods with the further amendments and supplementing
 - 16) § 24 of the law no. 333/2004
 - 17) The Law no. 283/2002 on travel expenses within the meaning of the law no. 530/2004
 - 18) The Law no. 429/2002 on stock exchange, with the further amendments and supplementing;
 - 19) The law of the National Council of the Slovak Republic no. 162/1995 on real estate's cadastre and on the registration of ownerships or other rights over real estates (cadastre law) with the further amendments and supplementing.
 - 20) The Law no. 83/1990 on citizens' associations, with the further amendments and supplementing;
 - 21) The Law no. 34/2002 on foundations and on Civil Code, with the further amendments and supplementing
 - 22) The Law no. 213/1997 on non-profit organizations performing community services according to the law 35/2002

- 23) The Law no. 147/1997 on non-investment funds and supplementing of the law of the National Council of the Slovak Republic no. 207/1996
- 24) § 20f to 20j of the Civil Code.
- 25) The law of the National Council of the Slovak Republic no. 369/1990 on local public administration, with the further amendments and supplementing.
- 26) The Law no. 116/1985 on the activity terms for international organizations within the Socialist Republic of Czechoslovakia within the meaning of law no. 157/1989
- 27) § 35 let. g) of law no. 540/2007 on auditors, audit and verification of audit's efficiency, as well as on the amendment and supplementing of the law no. 431/2001 on book-keeping, with the further amendments and supplementing.
- 28) The Law no. 71/1967 on administrative code, with the further amendments and supplementing.
- 28a) § 56a of the law no. 333/2004 within the meaning of the law 266/2012
- 28b) § 52 line 4 of the law no. 333/2004.