



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Komisioni Qendror i Zgjedhjeve
Centralna Izborna Komisija
Central Election Commission



Based on Article 39, 40, 64 points (a) and (b), and section 128.1 of the Law no. 03/L-073 on General Elections in the Republic of Kosovo and Law no. 03/L-256 on Amendment of Law 03/L-073 on General Elections in Republic of Kosovo and Article 16, 20 and 29.1 of the Law no. 03/L-072 on Local Elections in the Republic of Kosovo, the Central Election Commission on 02.07.2013 issues:

ELECTORAL RULE Nr. 12 / 2013
CAMPAIGN SPENDING LIMIT AND FINANCIAL DISCLOSURE

Article 1

General provisions

- 1.1 None of certified Political Entities cannot exceed campaign expenditures above the amount to be determined by the rules of the CEC no later than (5) days after the announcement of the election.
- 1.2 CEC determines the maximum of campaign expenditures based on the number of total registered voters in the voters list at the time of the last update of voter lists available to the CEC.
- 1.3 Political entity, other than payment of membership fee, has the right to begin to collect funds for its election expenses, no latter than six (6) months prior to the election campaign.
- 1.4 Maximum campaign expenses apply to any goods and services purchased for the campaign no matter the time of purchase or provision of services.
- 1.5 Political entity does not accept any contributions, except in a manner provided by applicable law.

Article 2
Definitions

Campaign Auditor mean any organization that is charged with the specific task by the Office to audit campaign expenses as described in Section 41.1 of the Law no. 03/L-073 on General Elections in the Republic of Kosovo.

Article 3
Limitation of campaign expenditure and contributions

- 3.1 Campaign Spending Limits for both party elections for the Municipal Assembly and Mayoral in a municipality would be 0.5 Euros per registered voter in the municipality. Campaign Spending Limits for the Assembly elections would be 0.5 Euros per registered voter.
CEC determines the maximum campaign expenditures based on the total number of registered voters in the voters list at the time of the last update of voter lists available to the CEC.
CEC with particular decision may set specific limits on campaign expenditures of municipalities that have less than 5000 (five thousand) registered voters.
- 3.2 Campaign Spending Limits as defined in Section 3.1 summarized for all elections in which competing political entity.
- 3.3 Maximum campaign expenses apply to any goods and services purchased for the campaign no matter the time of purchase or provision of services.

Article 4
Financial Disclosure Requirements

- 4.1 Every political entity certified to participate in the elections shall submit reports of Campaign Financial Disclosure of Entity, using the format attached as Annex 1 and including all branches and its component parts, for the period beginning from ninety (90) days before the election and ending on Election Day. Campaign Financial Disclosure Report is submitted to the Office for Registration of Political Parties no later than forty-five (45) calendar days after Election Day.
- 4.2 All candidates and political entities that qualify for the second round of mayoral elections shall submit a complete campaign financial report in accordance with Election Rule no. 10/2013 in the second round of elections for Mayor

- 4.3 Report of the Campaign Financial Disclosure, of every political entity, including all branches and the component parts, shall include complete and accurate disclosure:
- a) political entity incomes for the reporting period, including the source and date of all cash contributions;
 - b) all expenditures, including expenditures of the campaign, made by a political entity during the reporting period, and
 - c) a balance sheet showing the assets, liabilities and equity of the political subject from the first day to the last day of the reporting period.
 - e) A certified Political Entity shall ensure that each of its subsidiaries or its component parts complete informing financial report using the form attached as Appendix 2.
- 4.4 Every political entity certified to participate in the elections should keep and maintain in their archives for a period of seven (7) years, accurate records and detailed financial situation of subject and all branches during the period covered with Campaign Financial Disclosure Reports, including:
- a) accounting books of record, in accordance with generally accepted accounting principles ;
 - i. all income by source, amount, identifying how the payment is done (ie cash, check, bank draft, etc.) and
 - ii. all payments made by the political entity to another person, the purpose of payment and how the payment is done;
 - b) receipts for all expenses excess hundred euro (€ 100);
 - c) bank records for all accounts that holds political party or on its behalf;
 - d) documents establishing the legal basis for ownership or possession of all real property of a political entity;
 - e) contracts, to which partner is a political entity, including contracts relating to the lease or purchase of movable or immovable property;
 - f) a record of all contributions of the subject, no matter when they were made, including:
 - i. value of each contribution;
 - ii. the date when each contribution is given;

- iii. full name, address and ID number or other identification document, and
- iv. The full name of the person who received the contribution on behalf of the entity

4.5 All Financial Officers attends training in accounting and auditing, organized by the Office immediately after their appointment, if they do not provide to Office an acceptable level of the expertise and experience that shows that such training is not necessary.

Article 5

Audits

- 5.1 Office audits all reports of the Campaign Finance Disclosure or Financial Disclosure Candidate Form. The use of an external auditor, as campaign auditor is subject to decision of the CEC.
- 5.2 All political parties cooperate fully with the Campaign Auditor and provide to auditors full access to the financial records of political entity, including all of the records referred to in section 3.5 of this rule.
- 5.3 Campaign Auditor shall present the preliminary results of the audit, including a list of any errors or omissions, to the highest executive body of the political entity within forty-five (45) days from the beginning of the audit and no later than four (4) months after elections.
- 5.4 Political Entity may, within fifteen (15) working days from the date of receipt of the preliminary results, to submit a revised financial report and an explanation that addresses errors or omissions identified by the Auditor of campaign.
- 5.5 The Campaign auditor shall submit the final audit report to the CEC and the highest executive body of a political entity not later than fifteen (15) working days from the date of the submission of the preliminary audit report. The final report identifies all errors or omissions in the financial report, considering any clarification and revision submitted under section 4.4 of this rule.

Article 6

Campaign Contributions

Political Entity shall not accept any contribution from the political party that would not be acceptable under Rule 01 of the CEC / 2013 on the Registration and Operation of Political Parties and in the manner regulated by legislation.

Article 7
Sanctions

- 7.1 Central Election Commission acting through the Office may charge a political entity, which makes publication of the a Campaign Financial Report, after 45 calendar days after the deadline, as defined in Section 3.1 of this rule. CEC transfers all fines and administrative fees to the Kosovo Budget.
- 7.2 Imposition of a fine or other sanction by the CEC does not prejudice any criminal charge that may be applicable. Cases that can represent a criminal offense shall be sent by the CEC in the Office of the Prosecutor of Kosovo.
- 7.3 Political Entity may appeal against a CEC decision imposing a fine or fee in accordance with the Law on General Elections.
- 7.4 CEC may charge Political Entities for late submission of campaign financial reports in accordance with Annex 3 of this rule.
- 7.5 Office may appeal to the Election Complaints and Appeals Commission (ECAC) in accordance with the rules and procedures ECAP after the deadline for Publication of the Campaign Financial Reports, unless,
- a) political entity within 15 days after the deadline defined in Section 6.1 for the submission of the reports of the Campaign Financial Disclosure submits incomplete or inaccurate report, or submits a report that is not in accordance with Article 3;
 - b) political entity exceeds the campaign spending limits as defined in this Rule;
 - c) political entity does not cooperate fully with auditors and does not provide them full access in the financial records of a political entity as defined in Article 4, or
 - d) political entity has accepted contributions inconsistent with the provisions set out in Section 5.
- 7.6 Office may appeal to the Election Complaints and Appeals Commission (ECAC) within fifteen (15) days from the deadline for submission of campaign financial disclosure reports, after the deadline specified in Section 6.1.
- 6.7 Political entities shall pay all fines and fees into account of the CEC and shall submit to Office a copy of the payment receipt.

Article 8
Public Information

- 8.1 Central Election Commission, acting through the Office, shall establish and maintain a Public Information folder containing copies of:
- a) donor registry which shows:
 - i. full name and Civil Registration, passport or driver's license for each person who has contributed for a political entity, the combined value of which exceeds one hundred (100) euros for each calendar year;
 - ii. political identity of the political entity who does the acceptance;
 - iii. the amount of the contribution, and
 - iv. the dates on which the contribution is given;
 - b) Copies of all reports of the Campaign Financial Disclosure, submitted to the Office;
 - c) Copies of all Financial Disclosure Form for certified Candidates submitted to the Office, and
 - d) Copies of the final reports of certified candidates relating to audits made by the Office.
- 8.2 Office drafts compose of Public Information folder that will be available for viewing by members of the public in a central location to be determined by the Office during regular working hours, on the website of the CEC as well as in other places and times as may be ordered by the CEC.

Article 9
Transitional and final provisions

- 9.1 Upon the entry into force of this rule, Rule 12/2009 Campaign Spending Limit and Financial Disclosure dated 25.06.2009 is abolished
- 9.2 Integral part of this Rule are also annexes:
Appendix - I
Appendix - II
Appendix - III

Article 10
Entry into force

This Rule enters into force on 02.07.2013

President of Central Election Commission

Valdete Daka

