

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



Pursuant to Article 23 of the Law No. 03/L-174 on Financing the Political Parties, amended and supplemented with the Law no. 04/L-058, the Law No. 04/L-122 and the Law No. 08/L-122 on Financing Political Entities, sub-paragraph 2 of paragraph 2 of Article 64 of the Law No. 08/L-228 on General Elections in the Republic of Kosovo, the Central Election Commission (CEC), on 21.06.2024, approves this:

# REGULATION NO. 06/2024 ON FINANCIAL MANAGEMENT AND OVERSIGHT OF POLITICAL ENTITIES

## Article 1

#### Scope

This Regulation defines the procedures for financing, management, oversight, transparency, and reporting on spending of assets and income of political entities, and establishes the minimum and maximum limits of fines and other measures.

#### Article 2 Management of financial and material resources

- 1. Financial and material resources of political entities are defined according to Articles 4, 5, 6, and 7 of the Law on Financing Political Entities (LFPE).
- 2. Political entities are required to open a bank account and register with the relevant institution to obtain a fiscal number within thirty (30) days after the registration by the CEC.
  - 2.1. For opening a bank account, a registered political entity must submit the decision of CEC on registration, as defined by the applicable law in the Republic of Kosovo;
  - 2.2. to obtain a fiscal number as a taxpayer, which is used solely for tax purposes, the political entity must also submit the decision of CEC on registration, as defined by the applicable law in the Republic of Kosovo.

- 3. The political entity is required to submit to the Office for Registration, Certification, and Financial Control of Political Entities (the Office) confirmation of the bank account number and fiscal number.
- 4. If a political entity does not submit the documents specified in paragraph 3 of this article to the Office, the Office recommends to the CEC to suspend the political entity.
- 5. The political entity is required to submit the evidence specified in paragraph 3 of this article to the Office within an additional fifteen (15) days, provided in the suspension decision.
- 6. If the political entity does not submit the evidence within fifteen (15) day period specified in the suspension decision, based on the Office's recommendation, the CEC will take a decision to deregister political entity.
- 7. Political entities must have only one bank account, in one of the commercial banks registered in the Republic of Kosovo, through which they shall perform all transactions.
- 8. Notwithstanding paragraph 7 of this article, political entities are allowed to open sub-accounts within the main bank account, which will be used only for:
  - 8.1. transferring funds from the main account;
  - 8.2. withdrawing the monthly budget from the branches of political entity.
- 9. The bank sub-account cannot be used to accept donations.
- 10. The branch leader of the political entity or the authorized person at the branch must have written authorization from the chairperson of political entity for withdrawing budgetary funds from the sub-account.
- 11. The political entity is required to present the Office with banking information, including the name of the commercial bank registered in the Republic of Kosovo, bank account number, and details of all sub-accounts, if they have sub-accounts.
- 12. The office requests from the Central Bank of Kosovo to confirm that political entities have only one bank account.
- 13. Natural or legal persons can make a donation in cash, under fifty (50) EUR.
- 14. Political entities cannot accept donations in cash, in the amount of more than 49.99 EUR.

15. In cases where donations are received as described in paragraph 14 of this article, the financial representative of the political entity is required to deposit the funds in the bank account within five (5) days of receiving them.

#### Article 3 Allocation of financial resources from the Fund for Supporting Political Entities

- 1. Funding of political entities represented in the Assembly of the Republic of Kosovo is provided by the Fund for Supporting Political Entities (the Fund), as outlined in Article 7 of the LFPE.
- 2. The Office ensures that each year, a preliminary assessment is made for planning the amount of financial resources from the Fund, through the medium-term expenditure framework.
- 3. The Office recommends to the CEC to allocate financial resources from the Fund to political entities represented in the Assembly of the Republic of Kosovo.
- 4. Each year, from January 5 to January 15, the CEC makes a decision on allocation of resources from the Fund.
- 5. Resources from the Fund are deposited into the single bank accounts of political entities represented in the Assembly every three (3) months.
- 6. For the accurate identification of the deputies of each political entity that is part of the coalition, attached to the documentation for the application for coalition certification, the submitted list of candidates must include the party affiliation for each candidate of the political party that is part of the coalition.
- 7. In the event of the loss of a deputy's mandate and if there is no subsequent candidate on the political entity's list, the next political entity that wins the seat in the Assembly of the Republic of Kosovo will receive funding proportional to the number of seats.
- 8. After the CEC certifies the final result, the Office notifies the initiative about the political party registration procedure and the consequences of failing to complete the registration as a political party.
- 9. In case a citizens' initiative is not registered as a political party within the period specified by Regulation No. 01/2024 on the Registration and Functioning of Political Parties, it loses the right to benefit from the fund for the preceding period.

#### Article 4

## The purpose of using funds from the Fund for Supporting Political Entities

- 1. Resources from the fund can be used for any expenses related to the following activities:
  - 1.1. Financing of regular activities of political entities, which includes:
    - 1.1.1. meetings or forums of the highest executive bodies;;
    - 1.1.2. research contributing to the development of party policies, including public opinion surveys.
  - 1.2. Financing of branches of political entities, which include:
    - 1.2.1. meetings or forums of branches;
    - 1.2.2. office rent payments;
    - 1.2.3. office supplies;
    - 1.2.4. telephone and Internet expenses;
    - 1.2.5. expenses for utility services;
    - 1.2.6. maintenance of equipment and premises;
    - 1.2.7. organization of workshops;
    - 1.2.8. excursions and cultural, recreational/sport activities.
  - 1.3. Financing of meetings and activities of the relevant women's and youth organizational units which includes:
    - 1.3.1. promoting women and youth in political entities;
    - 1.3.2. organization of workshops;
    - 1.3.3. excursions and cultural, recreational/sport activities.
  - 1.4. Financing of activities of parliamentary groups, which includes:
    - 1.4.1. expenses for parliamentary groups and/or individual deputies to perform their functions.
  - 1.5. For the purposes of supporting political entity activities, administrative/operational expenses, which include the following:
    - 1.5.1. purchase of inventory and information technology equipment;
    - 1.5.2. purchase and maintenance of vehicles;
    - 1.5.3. transport costs;

- 1.5.4. capital investments and their maintenance costs;
- 1.5.5. rent payments, including tax obligations for rent;
- 1.5.6. salaries, compensations, allowances, taxes, and contributions;
- 1.5.7. travel costs for the needs of political entity;
- 1.5.8. office supplies;
- 1.5.9. telephone and Internet expenses;
- 1.5.10. municipal utility services;
- 1.5.11. maintenance of office equipment and premises;
- 1.5.12. membership fees in international political organizations;
- 1.5.13. bank charges, court fees and bailiff services;
- 1.5.14. representation costs;
- 1.6. For all expenses and activities outlined in this article, the political entity is required to attach the minutes and activity report approved by relevant body as per the statute of the political entity.
- 1.7. For purchases in the amount between €1,000 and €10,000, political entities are obligated to follow the procurement procedure by soliciting at least three (3) offers from different economic operators.
- 1.8. For purchases exceeding €10,000, political entities are required to follow an open bidding procedure.
- 1.9. Political entities must have adopted internal sub-legal acts for financial management and internal financial control within six (6) months of the entry into force of this regulation.

## Article 5 Maintenance and retention of supporting documentation

- 1. The political entity must retain supporting documents related to activities outlined in Article 4 of this regulation, which include but are not limited to invitations, agendas, attendance lists, contracts, regular expense invoices, fiscal coupons, activity reports, minutes, photographs, video materials, etc.
- 2. Documents under paragraph 1 of this article are kept for a period of no longer than seven (7) years.

#### Article 6

#### **Annual Financial Report**

- 1. Political entities are required to submit an annual financial report to the Office every year, no later than March 1 of the following year, in the manner prescribed by this regulation.
- 2. The Office will notify all financial representatives of political entities via email at least twice before March 1 of each year.
- 3. The Office will organize meetings with financial representatives of political entities regarding the annual financial reporting before February 10 of each year.
- 4. In addition to the data that each financial report must contain as defined in paragraphs 2 and 3 of Article 15 of the LFPE, annual financial reports must also include the following supplementary data:
  - 4.1. Data on the political entity;
    - 4.1.1. name of the political entity;
    - 4.1.2. acronym (if any);
    - 4.1.3. address of the political entity's headquarters (street, number, postal code, and municipality);
    - 4.1.4. reporting period (January 1 December 31);
    - 4.1.5. identification number for tax purposes (FRN);
    - 4.1.6. name of the commercial bank and bank account number.
  - 4.2. Data of the authorized financial representative;
    - 4.2.1. name and surname;
    - 4.2.2. personal identification number;
    - 4.2.3. residential address (street and number);
    - 4.2.4. contact telephone number;
    - 4.2.5. electronic address (e-mail).
  - 4.3. Data on the chairman of the political entity:
    - 4.3.1. name and surname;
    - 4.3.2. personal identification number;
    - 4.3.3. residential address (street name, number and municipality);
    - 4.3.4. municipality of residence;
    - 4.3.5. contact telephone number;

- 4.3.6. electronic address (e-mail).
- 4.4. The authorized financial representative and the chairman of political entity are obligated to sign a declaration stating that the data published in the annual reporting form are accurate, complete, and in accordance with applicable laws and CEC rules.
- 4.5. The annual financial statements must contain:
  - 4.5.1. the balance sheet, which includes total assets, total equity, and total liabilities;
  - 4.5.2. the income and expenditure statement, which includes total income and total expenditure for the reporting period;
  - 4.5.3. notes/disclosures to the financial statements, including the disclosure of income, expenses, assets, liabilities, and payment levels.
- 4.6. Annual financial reports must be prepared according to the sample provided by the Office (Appendix 1) and must contain the following data:
  - 4.6.1. Data on all expenses;
  - 4.6.2. cash contributions;
  - 4.6.3. in-kind contributions in goods and services;
  - 4.6.4. notes on land, buildings and equipment;
  - 4.6.5. other notes, including: accounts receivable, cash and cash equivalents, accounts payable and other short-term liabilities;
  - 4.6.6. A statement showing any payment made to another person during the reporting period if the total amount of payments made to that person exceeds five thousand (€ 5,000), specifying the purpose of the payment.
- 4.7. The appendix to the annual financial report will include a short form of publication of annual financial report, as part of Appendix 1, which contains:
  - 4.7.1. The balance sheet, including assets, equity, and liabilities;
  - 4.7.2. statement of income and expendituress, which include income and expenditure;
  - 4.7.3. notes disclosures of the statements.
- 5. The annual financial report submitted to the Office must be signed by the chairman of the political entity and the financial representative of the political entity.
- 6. In the absence of the chairman of political entity, annual financial report may be signed by a member of the highest executive body, with an authorization given by the chairman, which must be signed and stamped.

- 6.1. The signature by the authorized person on behalf of the chairman of political entity is valid only for the submission of annual financial report, and the chairman of political entity shall remain responsible for the content of annual financial report.
- 7. If the political entity is dissolved according to the statute, it must submit the annual financial report, including the period ending with the submission of dissolution request, along with the dissolution notice. The CEC will make a decision to deregister only if the political entity, along with the dissolution notice, also submits the financial report.
- 8. If the political entity does not continue registration by March 31, it is required to submit the annual financial report to the Office within fifteen (15) days after deregistration, covering the reporting period up to the deregistration date.
  - 8.1. The Office will notify the political entity that, in case of non-submission of annual financial report after de-registration and within the deadline specified in paragraph 8 of this article, a fine of one thousand (€ 1,000) EUR may be imposed on the chairman and financial representative of political entity, and if the fine is not paid, the Office will initiate enforcement procedures.
- 9. After the deregistration of political party, as specified in paragraphs 7 and 8 of this article, the Office will notify the Central Bank of Kosovo within fifteen (15) working days to block and close the bank account and Tax Administration of Kosovo to cancel the fiscal number.
  - 9.1. The notification as per paragraph 9 of this article will include the CEC decision for deregistration of political entity and information about the political entity, including: the name of political entity, acronym, registration number as a political party, and data on the chairman and financial representative of political entity, including their names, surnames, dates of birth, and personal identification numbers.

#### Article 7 Contributions for political entities

- 1. Contribution for political entities include:
  - 1.1. gifts;
  - 1.2. subsidies;

- 1.3. donations;
- 1.4. any type of benefit given to the political entity, whether in cash or in kind, including the payment of political entity's debts and benefits through property, loans, loans generated from entrepreneurial activities, services, and building for the use by political entity.
- 2. A contribution is also considered the acceptance of a service or monetary or material value by political entities below the real market value.
- 3. Spending of financial resources, referred to in the above paragraphs, for personal purposes is prohibited.
- 4. Political entities are allowed to receive contributions from:
  - 4.1. Individuals, in an amount of no more than two thousand (2,000) EUR per calendar year;
  - 4.2. Legal entities, in an amount of no more than ten thousand (10,000) EUR per calendar year.
- 5. A political entity that receives a contribution, the origin of which cannot be proven by the contributor, is required, within two (2) weeks, to notify competent authorities for verification of the origin of such contribution, such as:
  - 5.1. the Office;
  - 5.2. The Financial Intelligence Unit in the Ministry of Finance, Labor, and Transfers.
- 6. If the origin of the contribution cannot be proven, this amount is transferred to the Budget of the Republic of Kosovo.
- 7. Anonymous contributions are prohibited.

## Article 8 Contributions in cash

- 1. Each contribution must have clear information about the contributor, including the following data:
  - 1.1. Name and surname of the contributor (individual);
  - 1.2. address of the contributor (individual);
  - 1.3. personal identification number (individual);

- 1.4. date of contribution (individual);
- 1.5. name of the business (legal entity);
- 1.6. name of the business owner (individual);
- 1.7. name of the beneficial owner of the business;
- 1.8. address of main office (legal entity);
- 1.9. unique business number (legal entity);
- 1.10. date of contribution (legal entity);
- 1.11. declaration of the origin of funds.

2. The list of contributions is an integral part of the Annual financial report, as appendix II.

#### Article 9 Contributions in-kind

- 1. In-kind contributions are considered contributions in goods and services, including the payment of political entity's debts, benefits through property, loans, loans generated from entrepreneurial activities, services, and premises for the use of political entity.
- 2. The individual or legal entity, when providing an in-kind contribution, is required to issue a declaration of the contribution given to the political entity Appendix V, which indicates the market value of goods or services and the invoice.
- 3. The political entity is required to fill out the form for accepting the in-kind contribution, with the following data:
  - 3.1. Description of goods or service;
  - 3.2. name of the contributor, either as a natural or legal person;
  - 3.3. contributor's address, including street name and municipality;
  - 3.4. personal identification number for the individual, or unique registration number for the legal person;
  - 3.5. date when the contribution was made and time period of use;
  - 3.6. total value in EUR, according to the amount presented in the statement.
- 4. The registered political entity is obligated to complete the list of in-kind contributions received, as Appendix III, in the annual financial report, to which the statements of each individual contribution are attached.

#### Article 10 Prohibition of financial aid to registered political entities

- 1. Financial and material aid is prohibited from:
  - 1.1. Foreign governmental and non-governmental institutions, as well as foreign individuals and legal entities;
  - 1.2. anonymous individuals and legal entities;
  - 1.3. anonymous donors;
  - 1.4. institutions and enterprises with capital obtained from gambling, various betting establishments, or games of chance, and from;
  - 1.5. domestic public entities or with state capital participation;
  - 1.6. private enterprises while in contractual relationships for the provision of goods and services with institutions of the Republic of Kosovo and for three (3) years after the termination of contractual relationship;
  - 1.7. non-governmental organizations, humanitarian organizations, religious organizations, and trade unions;
  - 1.8. individuals and legal entities who are debtors to institutions of the Republic of Kosovo, against whom enforcement procedures have been initiated;
  - 1.9. youth organizations, foundations, institutes, or similar bodies that are created by political entities or that are affiliated with political entities or carry out functional activities for political entities.
  - 2. Public enterprises are not allowed to financially support political entities.
  - 3. Donations that provide the donor with a clear economic advantage are prohibited. Donations from individuals and legal entities to political entities must be made transparently through a single bank account and must be included in the financial reports of the benefiting political entities. The financial report of political entities must include the name and registration number for legal entities or the name, surname, and address for individuals.
  - 4. Candidates of political entities may not accept any donations outside the rules established by this law on financing political entities. No donation may be made directly to the candidate but must go through the political entity, in accordance with provisions of this law.
  - 5. The political entity signs a declaration under oath Appendix VII affirming that it has not received financial or material assistance from individuals or legal entities as outlined in this article.

#### Publication of annual financial reports

- 1. Political entities prepare annual financial reports as determined by the CEC, in both electronic and physical forms.
- 2. Political entities represented in the Assembly of the Republic of Kosovo must publish their annual financial reports for the previous year on their functional websites no later than March 10 of each calendar year.
- 3. Political entities are required to keep the annual financial reports for the previous year published on their websites for at least three (3) years.
- 4. Political entities are also required to publish the final audit reports for annual financing of previous year on their website no later than ten (10) days after receipt.
- 5. The Office publishes the annual financial reports and final audit reports on the CEC website.
  - 5.1. The annual financial reports and final audit reports must be kept published on the CEC website for at least ten (10) years.
- 6. Once the deadline for submitting annual financial reports has passed, the Office issues a public announcement to notify the public about the submission of the reports.

#### Article 12 Quarterly expenditure reporting

- 1. Political entities are required to submit to the Office a quarterly expenditure report every three months Appendix IV, within the following deadlines:
  - 1.1. for expenditures of the first quarter (January-March), the report must be submitted to the Office no later than April 15;
  - 1.2. for expenditures of the second quarter (April-June), the report must be submitted to the Office no later than July 15;
  - 1.3. for expenditures of the third quarter (July-September), the report must be submitted to the Office no later than October 15;
  - 1.4. for the expenditures of the fourth quarter (October-December), the report must be submitted to the Office no later than January 15 of the following year.

- The Office is required to notify the financial representatives of entities via email at least five
  (5) days before the deadline for submitting reports, as specified in paragraph 1 of this article.
- 3. The quarterly expenditure reports must also include an attached list of contributors, which should include the name and surname in case of individuals, or designation of legal entity, as well as the type and amount of contribution and date of contribution.
- 4. Quarterly expenditure reports, as per paragraph 3 of this article, must be made public on the CEC website and on the political entities' websites no later than five (5) days after the deadline for submission for each quarter.
- 5. The quarterly reports published by political entities and the Office must have personal data covered in accordance with the Personal Data Protection Law, which includes: personal identification number, address (street and house number), date of birth (day and month), phone number, and bank account number.
- 6. Quarterly expenditure reports must be submitted to the Office in both physical and electronic forms.
- 7. The Office will oversee the quarterly expenditure reports.

## Article 13 Financial control

- 1. The annual financial reports are audited in accordance with the applicable accounting standards in the Republic of Kosovo.
- 2. The audit of finances of political entities is conducted by certified auditors.
- 3. Through a public open competition, the Office selects licensed auditors, whether individuals or legal entities, who will audit annual financial reports and act on behalf of the Office.
- 4. Once the list of auditors has been selected according to paragraph 3 of this article, the Office will randomly assign auditors from this list to audit reports of political entities. Additionally, three (3) auditors will be designated to a reserve list.

- 5. The Office may initiate a compliance review for violations of sworn statements by auditors, as Appendix VI..
- 6. The political entity is required to cooperate closely with the selected auditor and provide full and unrestricted access to entity's financial records, including all records without limitations.
- 7. Political entities must provide all requested documents to the auditor immediately and no later than fifteen (15) working days.
- 8. The auditor may conclude that the political entity has not fully cooperated, if:
  - 8.1. Access to the areas where the financial records are maintained is restricted after three attempts by the auditor, regardless of the reasons given by the political entity;
  - 8.2. no response to requests or failure to provide requested documents within a period longer than fifteen (15) working days;
  - 8.3. other cases of non-cooperation, that impede the audit.
- 9. In cases of non-cooperation as outlined in paragraph 8 of this article, the auditor must document the issue through written correspondence with the authorized representatives of the political entity and notify the Office.
- 10. The Office investigates cases of non-cooperation and, if it confirms the auditor's conclusion, recommends to the CEC that a decision be made to deny the political entity access to funds allocated from the Budget of the Republic of Kosovo for the following year.
- 11. The audit of annual financial reports is carried out within the following timeframes:
  - 11.1. The audit of annual financial reports begins no later than March 30 of each year;
  - 11.2. preliminary audit results, including the audit opinion through the preliminary report, must be submitted to the Office no later than May 15 of each year;
  - 11.3. If the auditor finds issues and irregularities with the political entity during the audit year, the auditor must also present the Office with a draft management letter, which includes the findings, their impact or effect, and recommendations for process improvement;
  - 11.4. By May 20 of each year, the Office presents and sends the preliminary audit report to authorized representatives of the political entity;
  - 11.5. the political entity may submit a revised financial report and explanation, including comments on the preliminary audit report, within fifteen (15) days of receiving the

preliminary audit report. If the political entity identifies these errors or omissions, they must forward them to the auditor. Failure to meet this deadline implies the agreement with auditor's findings;

- 11.6. the auditor reviews any objections raised by the political entity, and if they are deemed valid, the auditor corrects the findings noted in the preliminary report, which are then reflected in the final audit report;
- 11.7. if there are no objections from the political entity regarding the findings of preliminary audit report, the auditor issues the final report with auditor's opinion on the financing of political entity;
- 11.8. final audit reports must be submitted to the Office no later than June 15 of each year.

#### Article 14 Publication of final audit reports

- 1. The Office must publish the final audit reports on the CEC's official website within fifteen (15) days of receiving them.
- 2. No later than ten (10) days after the publication of final audit reports, the Office holds a press conference to present the findings of reports to the media and the public.
- 3. By July 20 of each year, the Office prepares an annual report for the CEC, which is then sent unchanged as an annex of the CEC report to the Assembly of the Republic of Kosovo, no later than July 31 of each year.
- 4. The report includes information on the distribution and spending of resources from the Fund, including findings from the audit process and recommendations made by the Office aimed at further improving mechanisms for financing political entities, especially in terms of enhancing transparency and accountability and the data on the imposition of fines.
- 5. The Office submits the Final Audit Reports to the Office of the State Prosecutor and/or other law enforcement agencies, including the Anti-Corruption Agency, Financial Intelligence Unit, or Tax Administration of Kosovo, when suspicions of irregularities fall under the jurisdiction of one or more of these institutions.

## Article 15 Sanctioning provisions

1. The Office imposes fines, in accordance with the provisions of the Law on Financing Political Parties (LFPE), on political entities and their responsible persons, mayoral candidates, other

independent candidates, and any other legal or physical person who violates the LFPE and other laws or sub-legal acts.

- 2. The responsible unit in the Office drafts recommendations for imposing fines, based on which the Director of the Office makes the decision to impose fines.
- 3. Funds collected from fines are deposited into the Budget of the Republic of Kosovo..
- 4. The imposition of a fine or any other sanction by the Office does not preclude the application of any criminal sanctions or other consequences.
- 5. If a political entity represented in the Assembly of Kosovo has used funds in violation of Article 8 of the LFPE and Article 4 of this regulation, it is fined five thousand (5,000) EUR.
- 6. If the nature of the violation is the same as in paragraph 5 of this article and is repeated in two consecutive reports, the political entity is fined ten thousand (10,000) EUR.
- 7. A political entity that has two (2) or more bank accounts for regular financing of its activities in violation of Article 4 of the LFPE, provided that it has conducted bank transactions during the calendar year, is fined as follows:
  - 7.1. registered political entities that are not represented in the Assembly of Kosovo, are fined in the amount of 4,000 EUR;
  - 7.2. political entities that receive resources from the fund are fined 8,000 EUR.
- 8. If the political entity has more than one bank account, the Office, through a decision, will order the closure of these accounts within fifteen (15) days from the date the decision is received.
- 9. If transactions exceeding five thousand (5,000) EUR are conducted in the second or in additional bank accounts within the calendar year, the Office will inspect those bank accounts.
- 10. A political entity that has not maintained records and has not issued receipts for membership fees, voluntary payments, non-financial contributions, loan repayments, and in-kind contributions is fined as follows:
  - 10.1. registered political entities not represented in the Assembly of Kosovo are fined 4,000 EUR;

- 10.2. political entities that receive resources from the fund are fined between 4,000 and 10,000 EUR.
- 11. In addition to the fine specified in paragraph 10 of this article, the political entity will be suspended if it has not maintained records and issued receipts for membership fees, voluntary payments, non-financial contributions, loan repayments, and in-kind contributions that exceed the value of five thousand (5,000) EUR.
  - 11.1. The political entity is required to submit all documents to the Office within fifteen days of receiving the suspension decision, as specified in paragraph 10 of this article.
  - 11.2. If the political entity fails to provide the records and invoices as required by paragraph 11.1, the Office will recommend the CEC to de-register the political entity.
- 12. Political entities that submit annual financial reports with inaccurate or incomplete information, according to Article 15 of the LFPE, are fined as follows:
  - 12.1. registered political entities are fined 4,000 EUR;
  - 12.2. political entities represented in the Assembly of the Republic of Kosovo are fined between 4,000 and 10,000 EUR.
- 13. Political entities that do not submit quarterly financial statements within the deadlines specified in Article 12 of this regulation are fined 4,000 EUR.
- 14. A registered political entity that submits the annual financial report late is fined 4,000 EUR.
- 15. A political entity represented in the Assembly of the Republic of Kosovo that submits the annual financial report late is fined 5,000 EUR.
- 16. For the purposes of paragraphs 14 and 15 of this article, "late submission" refers to the period from March 2 to March 15 of each year.
- 17. If a political entity fails to submit the annual financial report by March 15, the Office will recommend the CEC to make a decision to suspend the political entity, requiring it to submit annual financial report to the Office within an additional fifteen (15) days.
- 18. If the political entity does not take action to submit the annual financial report within the additional period granted by the suspension decision, as per the Office's recommendation, the CEC will decide on de-registration of political entity.

- 19. Records, payment certificates, and other documents that constitute proof that the political entity has conducted transactions exceeding 4,000 EUR during the calendar year must be submitted to the Office within fifteen (15) days after receiving the de-registration decision.
- 20. A political entity that has received contributions in violation of paragraph 4 of Article 7 of this regulation must take the following actions:
  - 20.1. If the political entity has received contributions (donations) exceeding 2,000 EUR from the same individual within a calendar year, it must return the part of the amount exceeding 2,000 EUR to the donor within two (2) weeks after receiving them and must inform the Office;
  - 20.2. If the political entity has received contributions (donations) exceeding 10,000 EUR from the same legal entity within a calendar year, it must return the part of the amount exceeding 10,000 EUR to the donor within two (2) weeks after receiving them and must inform the Office.
- 21. In the case of exceeding the deadline specified in sub-paragraph 20.1 of paragraph 20 of this article for donations received from an individual, the Office will impose a fine on the political entity equal to twice the excess amount, but not less than 4,000 EUR.
- 22. In the case of exceeding the deadline specified in sub-paragraph 20.2 of paragraph 20 of this article for donations received from a legal entity, the Office will impose a fine on the political entity equal to twice the excess amount, but not less than 4,000 EUR.
- 23. A political entity that has received contributions from individuals or institutions specified in Article 10 of this regulation must return the funds to the donor within two (2) weeks after receiving and must inform the Office.
  - 23.1. In case where there is evidence that financial resources have been received from terrorist organizations declared by international institutions and by organizations that aim to undermine the constitutional order, integrity, and sovereignty of the Republic of Kosovo, the Office will take action and notify the competent institutions for freezing of funds and their transfer to the Budget of the Republic of Kosovo.
- 24. If the political entity does not return the funds within the deadline specified in paragraph 23 of this article, the Office, in cooperation with other relevant institutions, will take action to withdraw and transfer funds to the Budget of the Republic of Kosovo.

- 25. Regardless of actions undertaken according to paragraph 24 of this article, the political entity will be fined double the amount received, but not less than 4,000 EUR and not more than 40,000 EUR.
  - 25.1. The responsible persons of political entity, including the chairman and financial representative, will be fined 1,000 EUR in the following cases:
    - 25.1.1. for late submission of quarterly financial reports;
    - 25.1.2. for late submission of annual financial report;
    - 25.1.3. for failing to provide access to offices and records (evidence) for auditors even after being notified by the Office;
    - 25.1.4. for using funds in violation of Article 4 of this regulation;
    - 25.1.5. because the political entity they represent has two or more bank accounts for the regular financing of political entity's activities;
    - 25.1.6. because the political entity has not maintained records and not issued certificates for membership and voluntary payments, non-financial contributions, and loan payments;
    - 25.1.7. because the political entity they represent has accepted contributions in violation of Article 7 of this regulation.
- 26. Fines imposed according to paragraph 25 of this article are to be paid individually by the authorized representatives of the political entity, depending on who was fined, and not from the political entity's financial resources.
- 27. Individuals are fined €1,000 in the following cases:
  - 27.1. failure to provide a receipt for every contribution made to the political entity in the form of goods and services;
  - 27.2. if the goods or services do not correspond to their market value as defined by the LFPE;
  - 27.3. providing contributions to a political entity in violation of prohibition established in Article 11 of the LFPE.
- 28. Legal entities are fined twice the value given or exceeded, in the amount of not less than five thousand (5,000) euros and no more than fifteen thousand (15,000) euros, in the following cases:
  - 28.1. failure to issue a receipt for every contribution made through goods and services;
  - 28.2. if the goods or services do not correspond to their market value as defined by the LFPE;
  - 28.3. providing contributions to the political entity in violation of prohibition established in Article 11 of the LFPE.

29. In the event that political entity does not pay the imposed fine, it will be barred from certification for elections.

#### Article 16 Enforcement of fines

- 1. The Office imposes fines for violations specified in Article 15 of this regulation.
- 2. Decisions regarding fines are final and enforceable.
- 3. The political entity, responsible person, mayoral candidates, other independent candidates, and any other physical or legal person that has been subject of a fine may initiate an administrative dispute with the competent court within thirty (30) days of receiving the decision, as defined by the applicable laws in the Republic of Kosovo.
- 4. If a political entity represented in the Assembly of the Republic of Kosovo does not pay the fine within thirty (30) calendar days of receiving the Office's decision, the political entity will be prohibited from transferring resources from the fund in the amount equivalent to the fine imposed.
- 5. If the amount of the fine exceeds the funds allocated for each quarter, prohibition on fund transfers will continue until the total fine amount is reached.
- 6. If a registered political entity does not pay the fine, it will not be certified for elections until the imposed fine is paid.
- 7. If fines are not paid within thirty (30) day period, the Office will initiate enforcement procedure, as stipulated by the applicable laws in the Republic of Kosovo, for:
  - 7.1. registered political entities not represented in the Assembly of Kosovo;
  - 7.2. authorized representatives of registered political entities and political entities represented in the Assembly of Kosovo;
  - 7.3. individuals and legal entities.

#### Article 17 Financial oversight

- 1. The Office is mandated to oversee every case, if it is considered that a political entity has violated the legal provisions of the LFPE and sub-legal acts.
- 2. Any natural or legal person, and any public institution, may report financial irregularities of political entities to the Office.
- 3. Supervision is initiated based on complaints submitted by any natural or legal person, including anonymously, information provided by public institutions, or by a decision of the Director of the Office.
  - 3.1. In the event that the submitted complaint is found to be unsubstantiated, the Office dismisses the request and informs the complainant.
  - 3.2. in the event that substantial evidence of any irregularity is found, the Director of the Office issues a decision to verify the compliance.
- 4. After issuing the decision for verification of compliance, Director of the Office assigns the case by lot to an officer from the Financial Control Unit of Political Entities within the Office, who will verify facts and gather evidence regarding the alleged irregularity.
- 5. The Office may request any necessary information related to verification of compliance by private and public institutions.
- 6. The political entity may provide any information and evidence that refutes the alleged irregularity.
- 7. The compliance verification procedure may last no longer than three (3) months after the irregularity is reported.
- 8. The handling of the case may take up to six (6) months, with the possibility of an extension for an additional two (2) months, based on the justification provided.
- 9. After the compliance verification process is completed, Director of the Office receives final report from the officer who conducted the verification, which includes all collected facts and evidence, along with a final recommendation, based on which:
  - 9.1. A decision is made on whether the political entity has violated provisions of the LFPE, and depending on the violation, a fine is imposed as specified in Article 15 of this regulation;

- 10. If it is determined that the political entity is in violation of legal provisions, the Office, through its decision, shall request the political entity to voluntarily eliminate or rectify the findings and deficiencies, if they can be eliminated or rectified.
- 11. If the political entity does not act within the timeframe specified by the Office's decision, then the political entity will be subject to sanctions imposed by the Office, as outlined in Article 15 of this regulation.
- 12. Regardless of audit process and imposed fines as outlined in Article 15 of this regulation, if there is suspicion of a criminal offense, a tax violation, or a conflict of interest, the Office will immediately notify the relevant authority, such as Office of the State Prosecutor, Kosovo Police, Tax Administration, Financial Intelligence Unit, and Anti-Corruption Agency.

#### Article 18 Transitional and final provisions

- 1. Upon the entry into force of this Regulation, Rule no. 04/2015 on the Financing Political Entities and Sanctions is repealed.
- 2. Registered political entities are required to open a bank account and register with the relevant institution to obtain a fiscal number within thirty (30) days after the approval of this regulation.
- 3. If the political entity does not take the actions specified in paragraph 2 of this article, the suspension and de-registration measures outlined in Article 2 of this regulation, will be applied.
- 4. The appendices below are integral part of this Regulation:
  - 4.1. Appendix I Annual Financial Report Form;
  - 4.2. Appendix II List of contributors for providing financial resources in cash;
  - 4.3. Appendix III List of contributors in kind, goods and services;
  - 4.4. Appendix IV Quarterly financial report;
  - 4.5. Appendix V Declaration of contributions-in-kind;
  - 4.6. Appendix VI Compliance Verification for Violations of Testimonies Under Oath by Auditors

4.7. Appendix VII - Declaration under oath.

- 5. No later than sixty (60) days after the entry into force of this regulation, the Office shall develop the procedure for overseeing finances of political entities.
- 6. For the implementation of the LFPE and this regulation, the Office takes care to recommend to the CEC the conclusion of cooperation agreements with other relevant institutions.
- 7. No later than six (6) months after the entry into force of this Regulation, the Office will develop an electronic platform that enables the systematic recording and reporting of expenses by each political entity.

## Article 19 Entry in to Force

This Regulation shall enter into force upon the adoption by the CEC

Kreshnik Radoniqi

Chairperson of the Central Election Commission