

BOSNA I HERCEGOVINA
CENTRALNA IZBORNA KOMISIJA
SREDIŠNJE IZBORNO POVJERENSTVO



БОСНА И ХЕРЦЕГОВИНА
ЦЕНТРАЛНА ИЗБОРНА КОМИСИЈА

RULEBOOK
on annual financial statements of political parties

Unofficial consolidated text

Sarajevo, November 2016

Pursuant to Article 12, paragraph 4) of the Law on political party financing (“Official Gazette of BiH”, number: 95/12 and 41/16), Central Election Commission of Bosnia and Herzegovina adopted the following

RULEBOOK **on annual financial statements of political parties**

Unofficial consolidated text¹

CHAPTER I **INTRODUCTORY NOTES**

Article 1 **(Application)**

This Rulebook shall define the manner of delivery of annual financial statements, contents and form of the annual financial statements, control of financial statements, which political parties are obligated to submit to the Central Election Commission of Bosnia and Herzegovina (hereinafter: BiH Central Election Commission) and manner of public disclosure of information contained in the audit reports and the political parties’ financial statements.

Article 2 **(Scope of application)**

Provisions of this Rulebook shall relate to all political parties that are in accordance with the law registered with the competent body in Bosnia and Herzegovina (hereinafter: BiH).

CHAPTER II **MANNER OF FILING THE FINANCIAL STATEMENT**

Article 3 **(Financial statement)**

(1) Political parties shall submit to the BiH Central Election Commission the annual financial statement for every calendar (accounting) year **electronically using application FI CIK BIH (hereinafter: application)**. Political parties shall submit to the BiH Central Election Commission hard copies of the confirmation note on delivery of annual financial statement and printed forms of

¹ This unofficial consolidated text contains Rulebook on annual financial statements of political parties (“Official Gazette of BiH”, number: 96/13) and the Rulebook amending the Rulebook on annual financial statements of political parties (“Official Gazette of BiH”, number: [89/16](#)).

The unofficial consolidated text is for internal use only and no reference cannot be made to the latter when used officially.

financial statement in PDF verified by the signature of an authorized person and the political party's seal.

(2) BiH Central Election Commission may ask political parties to submit additional financial statements, documents, explanations and information if it finds them necessary for a complete and accurate conduct of the audit.

Article 4 (Annual settlement of accounts)

(1) All political parties shall submit financial statements in Article 3, paragraph (1) of this Rulebook by March 31 for the previous year.

(2) Political parties are obliged to submit annual settlement of accounts certified by competent institutions in BiH along with annual financial statement.

Article 5 (Forms)

(1) Political parties' annual financial statement in Article 3, paragraph (1) of this Rulebook shall be submitted on forms, which are integral part of this Rulebook, as follows:

- | | |
|--|----------|
| a) General information on political party | Form 1 |
| 1) Territorial structure of political party | Form 1.1 |
| b) Transaction account turnover of a political party | |
| 1) Overview of political party's transaction accounts turnover | Form 2 |
| 2) Overview of cash desk's turnover | Form 2.1 |
| c) Political party's sources of funding and overview of incomes by organizational parts of the party | Form 3 |
| 1) Contributions of natural persons exceeding 100 KM | Form 3-a |
| 2) Contributions of legal entities exceeding 100 KM | Form 3-b |
| 3) Incomes from the property of the party | Form 3-c |
| 4) Income from legal entities owned by the party | Form 3-d |
| 5) Non-financial donations and invoices that party was not obligated to settle | Form 3-e |
| 6) Incomes from the budget | Form 3-f |
| 7) Incomes from publishing activities, selling of marketing material and organizing party events | Form 3-g |
| d) Expenditures of political party and overview of expenditures by organizational parts of the party | Form 4 |
| 1) Overhead and operating costs | Form 4.1 |
| 2) Marketing costs | Form 4.2 |
| e) Political party's obligations | Form 5. |

(2) The forms shall be filled out accurately and precisely.

(3) Accuracy and completeness of the data in each Form shall be certified by the signature of the president of a political party or other authorized person.

(4) After a political party completes the annual financial statement' forms in the application it shall print the annual financial statement and delivery confirmation containing: name of political party, party's code determined by the BiH Central Election Commission, type of report, reporting period, name and last name of person who entered the data and delivery date of the statement.

Article 6
(Confirmation of received contribution)

(1) A political party shall be obligated to issue a confirmation to every natural person and legal entity (hereinafter: donor) from whom it collected membership fee or a contribution. The confirmation note shall contain: name of the political party, serial number of confirmation, total amount of membership fee/contribution, name and last name/name of donor, ID card number/donor's identification number, address and place of residence/donor's headquarters, payment date, date on which the confirmation was issued and signature of an authorized person.

(2) Confirmation referred to in paragraph (1) of this Article shall be issued in two (2) copies, one for the donor and the other for the political party.

(3) The BiH Central Election Commission may ask the political party to submit copies of issued confirmation notes.

CHAPTER III
CONTENTS AND FORM OF POLITICAL PARTIES' ANNUAL
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Article 7
(Completing the forms)

(1) When submitting annual financial statement, political party shall submit completed all forms set in Article 5 of this Rulebook.

(2) The financial statement at the party's level shall be presented on Forms 1, 1-1, 2, 2-1, 3, 3-f, 3-g, 4, 4.2 and 5, and for organizational parts of the party on all other Forms listed in Article 5 of this Rulebook, separately for each organizational part of the party.

Article 8
(Data)

(1) The upper right corner of all Forms referred to in Article 5 of this Rulebook contains an empty space for entering the number of form's pages.

(2) The upper right corner of Form 1, *General information on political party*, contains an empty space for entering of the following data:

- a) Code of the party to be set and entered by the BiH Central Election Commission;
- b) Title of the financial report, and
- c) reporting period for which the form is submitted.

Article 9
(General information on political party)

(1) All information on political party to which the financial statement relates shall be given on Form 1 *General information on political party* as follows:

- a) Name of the political party under as registered with the competent court
- b) Acronym,
- c) Head office, address, telephone and fax numbers, e-mail address,
- d) Identification number obtained from competent tax authority,
- e) Business code,
- f) Name of the court where the party is registered,
- g) Number and date of the entry into court register,
- h) Number of employees in the party,
- i) Persons authorized to represent the party: name, function in the party and address,
- j) Person authorized for financial statements: name, address, e-mail address and telephone number (business tel. number and mobile tel. number), and
- k) Does the party have lower organizational parts (answer YES or NO).

Article 10
(Data on territorial structure of political party)

The following data shall be given on Form 1-1 *Territorial structure of a political party* for all organizational levels (Head office, entity, cantonal, municipal and other organizations):

- a) The name of the organizational part of the political party, and
- b) Address, telephone and fax numbers.

Article 11
(Transaction account turnover of a political party)

The following data shall be entered into Form 2 *Transaction account turnover of a political party*:

- a) Name of the organizational part of the party,
- b) Account number,
- c) Name of the bank,
- d) Account balance on January 01 for the year covered by the financial statement or if the account was opened after that date, the account balance on the day of account opening,
- e) Total inflow without initial balance (for requested year),
- f) Total outflow (for requested year) and
- g) Balance on December 31 of the year for which the report is submitted, or in case that the account was closed earlier, until the closure of the account.

Article 12
(Overview of cash desk transactions)

The following data shall be entered into the Form 2-1 *overview of cash desk transactions*:

- a) Name of the party's branch office,
- b) Balance of the cash desk at the beginning of the period,
- c) Total cashier's inflow,
- d) Total cashier's outflow and
- e) Cashier's balance at the end of the period.

Article 13
(Sources of funding)

(1) The following data shall be entered into the Form 3:

1. Total incomes of political party – 3.1. Total incomes of political party

- a) Membership fee
 - 1) Total fee charged in KM and
 - 2) Number of members of the party who paid the fee
- b) Contributions of natural persons and party members (details in Form 3-a)
 - 1) Total amount charged in KM;
- c) Contributions of legal entities (details in form 3-b)
 - 1) Total amount charged in KM,
- d) Incomes from the property owned by political party (details in form 3-c)
 - 1) Total incomes in KM.Incomes obtained in the reporting period are entered here.
- e) Profit of legal entities owned by political party (details in form 3-d)
 - 1) Total incomes in KM;
- f) Incomes from the gifts and services that political party was not obligated to settle (details in form 3-e)
 - 1) Total amount in KM;
- g) Incomes from the budget (details in form 3-f)
 - 1) Total amount in KM;
- h) Incomes from publishing activity, selling of marketing material and incomes from organization of party events (details in Form 3-g)
 - 1) Total amount of incomes in KM

- i) Total incomes of political party in KM in the reporting period by all items.

2. Other incomes – 3.2 Other incomes

- a. Total other incomes in KM during the reporting period.

(2) Integral part of this form is attachment to the form 3 in which financing sources of political party according to organization parts are entered.

(3) If the political party does not have information that can be used to determined donor's identity, the contribution will be considered made by an anonymous donor.

(4) If a political party acquires income, which is not encompassed by Article, 13 paragraph (1) of this Article or if it acquires profit from the activities of a subjects that are in any way related to the political party or are under its control, it shall be obligated to present such incomes in form 3.2 *Other incomes*.

(5) Funds transferred by one organizational part to another within a political party shall not be deemed as expenditure from paragraph (1) of this Article and shall not be recorded on Form 3 from Article 5 of this Rulebook.

Article 14

(Contributions of natural persons)

The following data shall be entered into Form 3-a *Contributions of natural persons*:

- a) Name of the branch office of the party,
- b) Total amount of contributions with respective value under 100 KM,
- c) Surname and name of the donor whose contribution exceeds 100 KM, number of receipt referred to in Article 6 of this Rulebook, date the contribution was made and amount of the contribution; and
- d) Total amount of all contributions made by natural persons.

Article 15

(Contributions of legal entities)

The following data shall be entered into Form 3-b *Contributions of legal entities*:

- a) Name of the branch office of the party,
- b) Total amount of contributions with respective value under 100 KM,
- c) Name of a legal entity whose contribution exceeds 100 KM, number of receipt referred to in Article 6 of this Rulebook, date the contribution was made and amount of the contribution; and
- d) Total amount of all contributions made by legal entities.

Article 16

(Incomes from the property owned by political party)

The following data shall be entered into Form 3-c *Incomes for the property owned by political party*:

- a) Name of the branch office of the party,
- b) Type of property generating incomes,
- c) User of political party's property,
- d) Number of contract, decision, etc. (BiH Central Election Commission may request from the political party to deliver copies of these documents),
- e) Amount of generated income and

Article 17
(Incomes from legal entities owned by a political party)

The following data shall be entered into Form 3-d *Incomes from legal entities owned by a political party*:

- a) name of legal entity,
- b) identification number received from competent tax authority,
- c) business code and type of activities of the legal entity,
- d) Ownership share of the political party (%),
- e) Amount of profit transferred to the political party and
- f) date of the transfer.

Article 18
(Non-financial donations and invoices that political party was not obligated to settle)

The following data shall be entered into Form 3-e *Non-financial donations and invoices that political party was not obligated to settle*:

- a) name of the branch office of political party,
- b) name and last name / name of the donor,
- c) type of gift or service,
- d) date of receipt of gift or service,
- e) total value of gift or service and
- f) value that political party was not obligated to pay.

Article 19
(Incomes from the budget)

(1) Form 3-f *Incomes from the budget*, shall be completed at the level of the party, and shall include all funds allocated from the budgets of all the levels of authority received by the party in the reporting period.

- (2) Following data shall be entered into this Form:
- a) Name of the branch office of the political party,
 - b) Level of authority,
 - c) Number and date of the decision and
 - d) Total amount of the income.

(3) Income from the budget shall only be deemed income defined by Article 3, paragraph (1), point e) and Article 7 of the Law on political party financing.

Article 20
(Incomes from publishing activities)

The form 3-g *Incomes from publishing activities, selling of marketing material and organizing party events* shall contain the following data:

- a) name of the organizational part of the political party;
- b) type of incomes:
 - incomes from publishing activities,
 - incomes from selling of marketing material, and
 - incomes from organization of party events;
- c) the amount of generated income.

Article 21
(Expenditures of a political party)

(1) A political party shall present its expenditures in Form 4.

(2) The following data shall be entered into Form 4 *Expenditures of a political party*:

- a) Overhead and other expenses in KM (details in Form 4-1),
- b) Marketing expenses (details in Form 4-2) and
- c) Total expenditures in the reporting period on all bases.

(3) Integral part of this form is attachment to Form 4 into which political party's expenditures by organizational parts are entered.

(4) Funds transferred by one organizational part to another within a political party shall not be deemed as expenditure from paragraph (2) of this Article and shall not be recorded on Form 4 from Article 5 of this Rulebook.

Article 22
(Overhead and other expenses)

The following data shall be entered into Form 4-1 *overhead and other expenses* (all expenses except the marketing costs):

- a) Name of the branch office of the political party,
- b) Type of expenses,
- c) Account and
- d) Amount.

(2) If a political party incurs costs from publishing activities, getting of marketing material intended for sale or from organization of party events, it shall accompany Form 4-1 with a special specification that will include: name of organizational part of the party, amount and type of cost

incurred and other facts proving that cost was incurred for the purpose of generating political party's income.

Article 23
(Marketing expenses)

The following data shall be entered into Form 4-2 *Marketing costs*:

- a) Name of the branch office,
- b) type of expenses as follows: expenses of printing and placing posters, expenses of printing pre-election advertisements, statements, notifications etc. in newspapers, expenses of organization and administration of pre-election rallies and expenses of printing, reproduction and delivery of pre-election material which is sent to the voters and other expenses,
- c) Account and
- d) Amount.

Article 24
(Obligations of political party)

(1) The following data shall be entered into Form 5 *Obligations of political party*:

a) Total obligations per credits and loans- 5.1 Political party's obligations per credits and loans:

- 1) name of the organizational part of the political party,
- 2) Name of creditor or loaner,
- 2) Amount of credit or loan,
- 3) date of credit or loan realization,
- 4) Instalment amount and
- 5) Loan or credit payment deadline, and
- 6) the amount of loan/credit obligation on a specific day.

b) Total debt obligations- 5.2 Other debts:

- 1) name of the organizational part of the political party,
- 2) name of the creditor or obligation,
- 3) date of debt incurred,
- 4) amount of obligation on a specific day.

(2) Form 5.2. *Other obligations* shall contain information on political party's obligations concerning: unsettled obligations to suppliers (natural persons and legal entities), obligations concerning salaries and remunerations, taxes, contributions, etc.

(3) The Central Election Commission of BiH may request from a political party to deliver copies of documents presenting credits, loans or similar.

CHAPTER IV CONTROL OF FINANCIAL REPORTS

Article 25 (Audit of financial statement)

(1) Review, control and audit of financial statement in Article 3 of this Rulebook shall be conducted by the Audit office of the BiH Central Election Commission (hereinafter: Audit Office) in line with the Law on political party financing.

(2) The audit of the financial statement shall be conducted for proving opinion whether a political party acted in accordance with the Law on political party financing. The audit shall be conducted in accordance with the audit standards.

Article 26 (Audit Office)

(1) During the review of the financial statement, the Audit Office among other things considers the following:

- a) Was the report submitted on prescribed forms in this Rulebook;
- b) Were the forms appropriately filled out;
- c) Were the forms complete (comprehensive);
- d) whether the statement includes all business changes;
- e) were analytic records correctly reckoned;
- f) Were the information in the report appropriately categorized per forms, and
- g) Was the report submitted on time, that is, in the prescribed deadline.

(2) Review, control and audit of the financial statement shall be done in accordance with the Rulebook on administrative procedures of review and control of political parties' financial statements.

Article 27 (BiH Central Election Commission)

(1) If the BiH Central Election Commission finds that a political party did not act in accordance with the provisions of the Law on political party financing and of this Rulebook, prior to deciding on sanctions or administrative measures it shall try to accomplish that the political party found in breach of the provisions of the mentioned Law and this Rulebook voluntarily act and remove all detected irregularities if the latter can be removed.

(2) BiH Central Election Commission may initiate an investigation or undertake appropriate measures ex-officio or upon a filed complaint.

Article 28 (Sanctions and administrative measures)

(1) If political entities fail to act in the manner and within the deadline provided in Article 27, paragraph (1) of this Rulebook, the Audit Office shall recommend the BiH Central Election

Commission to pronounce a sanction to the political party or to undertake appropriate administrative measure.

CHAPTER V MANNER OF PUBLIC ACCESS TO INFORMATION IN THE AUDIT REPORT AND IN THE POLITICAL PARTIES' FINANCIAL STATEMENTS

Article 29 (Auditor reports)

(1) Excerpts from annual financial statements of political parties on sources of financing that were submitted to the BiH Central Election Commission shall be published on the website of the BiH Central Election Commission.

(2) Review and audit reports with auditor's opinion and findings on financial statement and financing of political party in line with the Law on political party financing shall be published on the website of the BiH Central Election Commission. The information on conducted review and audit of political parties' financial statement shall be published in the "Official Gazette of BiH".

CHAPTER VI FINAL PROVISIONS

Article 30 (Ineffectiveness)

Effectiveness of the Rulebook on annual financial statements of political parties ("Official Gazette of BiH", number: 61/06) shall terminate by entry into force of this Rulebook.

Article 31 (Entry into force and publishing in official gazettes)

(1) This Rulebook shall enter into force eighth day following its publication in "Official Gazette of BiH", and it shall be published in the "Official Gazette of FBiH", "Official Gazette of RS" and "Official Gazette of BiH District of Brčko" and on the website of the BiH Central Election Commission.