



Pursuant to Article 2.9 paragraph (1), point 2 of the Election Law of Bosnia and Herzegovina (Official Gazette of BiH, numbers: 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20 / 04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14 , 31/16 and 41/20) the Central Election Commission of Bosnia and Herzegovina, has at its 1<sup>st</sup> session, held on January 13, 2022, adopted

## **INSTRUCTION**

### **ON THE PROCEDURE OF OPENING AND USING A SPECIAL ELECTION CAMPAIGN ACCOUNT**

#### **Article 1**

##### **(Scope)**

- (1) This Instruction prescribes the procedure for opening a special account, which political parties, coalitions of political parties, independent candidates and lists of independent candidates, who participate in elections at all levels of authority in Bosnia and Herzegovina, will solely use to finance election campaign costs.
- (2) Application for certification of a political party or an independent candidate, in accordance with the provisions of Article 4.4, paragraph (1) of the Election Law of Bosnia and Herzegovina, also contains the account number for the election campaign financing.

#### **Article 2**

##### **(Special account for financing costs of the election campaign of a political party and an independent candidate)**

- (1) A political party and an independent candidate participating in the elections for all levels of authority in Bosnia and Herzegovina shall open a special account for financing the costs of the election campaign.
- (2) The account for financing the election campaign shall be opened by the headquarters, i.e. the main board of the political party.
- (3) A political party and an independent candidate shall open a special account for financing election campaign costs no later than the day of submitting the application for certification to participate in the elections, and may open it at the earliest three months before the day of submitting application for certification to participate in the elections.
- (4) The funds that a political party and an independent candidate participating in the elections for all levels of authority in Bosnia and Herzegovina intend to spend on the election campaign must be paid into a special account for the election campaign financing.

- (5) Payments other than those intended for election campaign financing may not be received on a special account for the election campaign financing, nor may funds from that account be used for any purpose other than covering election campaign costs.
- (6) If, after the completion of all transactions, in accordance with this Instruction, unspent funds remain in the special account for financing the election campaign of a political party, they shall be paid to the transaction account of the political party headquarters.
- (7) If the funds on the special account for the election campaign financing are not sufficient to cover the expenses, the political party is obliged to pay the outstanding obligations based on the costs of the election campaign from the account of the political party's headquarters.
- (8) If, after the completion of all transactions, in accordance with this Instruction, unspent funds remain in the special account for financing the election campaign of the independent candidate, they shall be reimbursed to all sources or donors. Reimbursement of the remaining funds is proportional to the amounts of payments or donations given.

### **Article 3**

#### **(Special account for financing costs of the election campaign of a coalition of political parties)**

- (1) When two or more political parties act within the coalition, they may use a special account for campaign costs to finance the election campaign costs of one of the political parties, members of the coalition, to be regulated by a mutual agreement between the political parties that is submitted to and deposited with the Central Election Commission of Bosnia and Herzegovina. Funds that an individual political party is obliged to pay into a special account for financing election campaign costs in accordance with a concluded mutual agreement are not considered a donation or income of a political party that has opened a special account for election campaign financing.
- (2) A political party may lend funds to another political party to finance the election campaign on the basis of a mutual agreement by making the payment to the special account for the financing of the election campaign. A loan given by a political party on the basis of a mutual agreement to another political party, and the repayment of the loan to the central account of the political party that gave the loan, shall not be considered a donation.
- (3) The Loan Agreement, with a clearly defined loan repayment period, shall be submitted to the Central Election Commission of Bosnia and Herzegovina.

### **Article 4**

#### **(Special account for financing costs of the election campaign of a list of independent candidates)**

When two or more candidates act within a list of independent candidates, they may use a special account for campaign costs to finance the election campaign costs of one of the candidates from the list, to be regulated by a mutual agreement between the candidates that is submitted to and deposited with the Central Election Commission of Bosnia and Herzegovina. Funds that an individual candidate of a political party is obliged to pay into a special account for financing election campaign costs in accordance with a concluded mutual agreement are

not considered a donation or an income of the candidates who has opened a special account for election campaign financing.

#### **Article 5**

##### **(Reporting turnover of the special account for financing the election campaign costs)**

A political party and an independent candidate participating in elections for all levels of authority in Bosnia and Herzegovina shall, at the time of submitting the application for certification, covering the period from the day of submission of the application to the day of confirmation of election results, submit a report (statement) on the turnover of the special account for financing election campaign costs.

#### **Article 6**

##### **(Entry into force)**

This Instruction shall enter into force eight days from the day of its publication in the Official Gazette of BiH, and shall be published in the Official Gazette of the Federation of BiH, Official Gazette of RS, Official Gazette of Brčko District of BiH and on the website of the Central Election Commission of Bosnia and Herzegovina.

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Sarajevo, January 13, 2022

President

Željko Bakalar