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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**DRAFT LAW OF UKRAINE**  
**ON POLITICAL PARTIES**

## **Section I. GENERAL PROVISIONS**

### **Article 1. Definition of terms**

1. In this Law, the following terms shall have the meaning as defined below:

1) Political party is a voluntary association of citizens of Ukraine, supporters of a certain national program of social development, registered in accordance with the law, the purpose of which is to promote the formation and expression of political will of citizens of Ukraine, participation in elections and other political events with the primary goal of participation in the state governance matters;

2) Local organization of a political party (hereinafter – the organization of the party) – is a republican (in the Autonomous Republic of Crimea), regional, city, district, district in the city and other local organization, envisaged by the charter of the political party, established and operating within the relevant administrative-territorial units of Ukraine in the manner defined by the charter of a political party;

3) Structural units of a political party are party organizations, primary (settlement, village, block, street, etc.) offices, voter outreach centers, analytical, coordination, youth, interregional centers and other structural divisions provided by the charter of a political party.

2. The terms "decisive influence", "ultimate beneficial owner (controlling entity)" are used in the meaning provided in the Law of Ukraine "On Prevention and Counteraction to Legalization (Laundering) of Proceeds of Crime, Terrorism Financing and Proliferation of Weapons of Mass Destruction".

### **Article 2. Legal foundation of the political party activity**

1. Political parties carry out their activities in accordance with the Constitution of Ukraine, this Law, other legal acts, as well as in accordance with the party normative documents adopted by them under the procedure prescribed by this Law.

2. Political parties in Ukraine are created and operate only with all-Ukrainian status.

3. Political parties are non-profit organizations.

### **Article 3. Principles of establishment and activities of political parties**

1. Political parties are established and operate on the principles of rule of law, legality, respect for the constitutional order and sovereignty of the state, non-discrimination, equality and internal democracy, representativeness and focus on party member, institutionalization of a political party, transparency and openness.

2. The principle of the rule of law means that a political party recognizes the rights, freedoms, legitimate interests of the person and citizen as the paramount values in its activities.

3. The principle of legality means that the political party abides by the Constitution of Ukraine, this Law, other legal acts, international treaties ratified by the Verkhovna Rada of Ukraine, as well as party normative documents adopted by them according to the procedure envisaged by this Law, while managing its activities;

4. The principle of respect for the constitutional order and sovereignty of the state consists of:

- banning the establishment and activities of political parties whose program goals or actions are aimed at eliminating Ukraine's independence, forcibly changing the constitutional order, violating the sovereignty and territorial integrity of the state, undermining its security, usurpation of state power, propaganda of war, violence, and incitement to ethnic violence; racial and religious enmity, encroachment on human rights and freedoms, threat to public health;

- banning the establishment and activities of political parties whose program goals or actions are aimed at promoting communist and/or National Socialist (Nazi) totalitarian regimes and their symbols;

- banning the establishment and operation of paramilitary units by a political party;

- banning the establishment and activities of structural units of political parties in executive and judicial bodies and executive bodies of local self-government, military units, as well as at state enterprises, educational institutions and other state institutions and organizations.

5. The principle of discrimination prevention consists of:

- prohibition for a political party to introduce any privileges or restrictions for membership on the grounds of race, color, religion, sex, ethnic and social origin, property status, place of residence, language or other characteristics;
- prohibition for a political party to introduce any privileges or restrictions for election to any position in its constituent bodies on the grounds of race, color, religion, sex (except for statutory quotas to ensure a balanced representation of women and men in the governing bodies of political party), ethnic and social origin, property status, place of residence, language or other grounds;
- prohibition for a political party to introduce any privileges or restrictions for any of its members regarding the possibility to participate in the management of the political party and its decision-making on the grounds of race, color, religion, sex, ethnic and social origin, property status, places of residence, on linguistic or other grounds;
- enshrining the size of quotas that will ensure a balanced representation of women and men in the governing bodies of a political party, in the electoral list of candidates in various types of elections in the political party charter.
- enshrining the provisions on ensuring equal rights and opportunities for women and men, prevention of sexism, prejudice, harassment and other manifestations of discrimination in the political party charter and ethical code.

6. The principle of equality and internal democracy envisages that every member of the party shall have the right to:

- participate in the management of its affairs;
- be elected to the positions of its governing and other constituent bodies;
- have the right to vote in the political party decision-making process;
- freely express their position on various issues of the political party;
- obtain information on any issues of activity and functioning of a political party;
- be held to disciplinary responsibility only in accordance with the conditions and procedures clearly established in the charter of the political party;
- appeal the decision on their expulsion from a political party in accordance with the procedure established by the party's charter.

7. The principle of representativeness and focus on the party members consists of:

- ensuring quotas of representation of the regional network of structural branches of a political party at congresses (meetings, conferences);
- establishment by the political party of the periods for holding congresses (meetings, conferences);
- holding of extraordinary congresses (meetings, conferences) by the political party at the request of party members;
- establishment by the political party of the periods for re-election of the governing bodies members, as well as control and audit bodies of the political party;
- ensuring the right of veto of members of a political party on the decisions of its governing bodies;

8. The principle of the political party institutionalization consists in:

- existence of an extensive regional network of structural units of a political party;
- existence of a political party body that interacts with society to promote the formation and expression of political will of citizens.

9. The accountability and responsibility principle consists in:

- regular reporting by a political party on its activities to voters;
- regular reporting by the governing bodies of a political party to its members on its activities and the activities of the political party as a whole - the obligation of the governing body of a political party to provide any member of a political party with all necessary information on the activities of a political party at their request;
- the inevitability of disciplinary action against any member of a political party, including officials of the constituent bodies of a political party, if they commit acts in breach of the charter, program or ethical code of the political party;
- establishment of control and audit bodies by the political party;

10. The transparency and openness principle consists in:

- promulgation by the political party of its charter, program of activities, ethical code, as well as any changes to them;
- the ability of the internal party structure to ensure prompt, clear and transparent communication between all its members;
- public nature of the register of the political party members;
- promulgation by a political party of decisions of its governing bodies (both central bodies and structural branches), decisions of party congresses (meetings, conferences) for the general public;
- publication by the political party of information on all donations made in support of its activities in accordance with the law;
- publication by the political party of information on the areas and amounts of use of state funding (if received);
- publication of the financial reports by a political party;
- public availability of the results of the external independent audit of the financial activities of the political party;
- financing the activities of a political party exclusively in accordance with the provisions of this Law and other regulations.

**Article 4.** Guarantees of the political parties' activity

1. Political parties are equal before the law.
2. Public authorities, local governments, and their officials are prohibited from granting advantages or privileges to any political party or its members, as well as from promoting the activities of a particular political party, unless otherwise provided by law.
3. Interference by state authorities and local self-government bodies or their officials in the establishment and internal activities of political parties, their bodies and their structural entities is prohibited, except as provided by this Law.
4. The activity of a political party may be prohibited only by a court decision on the grounds specified by this Law.

**Article 5.** Rights of political parties

Political parties have the right to:

- 1) freely exercise their activities in accordance with the right of citizens of Ukraine to freedom of association in political parties guaranteed by the Constitution of Ukraine and within the limits provided by the Constitution of Ukraine, this Law and other laws of Ukraine;
- 2) freely disseminate information about their activities, promote their program goals, visions and values, except as provided by law;
- 3) take part in elections and referendums, conduct election campaigning in accordance with the procedure established by the laws of Ukraine.
- 4) use mass media, public access platforms, as well as establish their own mass media, public access platforms in accordance with the laws of Ukraine;
- 5) hold peaceful assemblies, rallies, actions, marches and demonstrations, having informed the executive authorities or local self-government bodies about such events in advance;
- 6) ideologically, organizationally and materially support associations of citizens, assist in their creation;
- 7) maintain international relations with political parties, public organizations of other states, international and intergovernmental organizations, establish or join international unions in compliance with the requirements of this Law;
- 8) be a participant in civil law relations, acquire property and non-property rights in accordance with the law;
- 9) make proposals to the bodies of state power of Ukraine and bodies of local self-government, which are obligatory for consideration by the relevant bodies in accordance with the established procedure;
- 10) appeal against decisions, actions or omissions of public authorities, local governments, their officials in the manner prescribed by law.

**Article 6. Functions of political parties**

Political parties shall be established and carry out their activities in pursuit of the following functions:

- 1) promote the formation and expression of the political will of citizens;
- 2) represent public interests;
- 3) participate in the management of public affairs, in particular to influence the development and implementation of policy by public authorities;
- 4) shape public opinion;
- 5) intensify the participation of Ukrainian citizens in political life;
- 6) carry out civic education;
- 7) form a staff reserve for the civil service;
- 8) encourage the development of civil society;
- 9) liaise between the society and the state.

**Article 7. General provisions regulating the property of political parties and sources of its origin**

1. To carry out activities not prohibited by law, political parties have the right to own, use and dispose of property in accordance with the legislation of Ukraine.

2. The property of a political party is the totality of items and other values (including intangible assets) that can be defined through value, and are used in the activities of a political party or its structural entities.

3. The property of a political party shall be reflected in the accounting and reporting forms provided by law.

4. The basis of the legal regime of property of political parties, on which their activities are based, is the right of ownership. The activity of a political party may also be carried out on the basis of other property rights provided by the Civil and Commercial Codes of Ukraine. A political party may own and use property on the basis of civil and commercial agreements.

5. Political parties shall perform their functions at the expense of income received on legal grounds, as well as at the expense of material and financial support received within the limits and in the manner provided by this Law.

6. The financial and material support to political parties may be provided within the framework of private and state funding of political parties.

**Article 8. International activities of political parties**

1. Political parties may maintain relations with other political parties, public organizations of other states, international and intergovernmental organizations, conclude cooperation agreements and take other measures that do not contradict the laws and international agreements of Ukraine.

2. Political parties may not enter into agreements which place a political party in a subordinate or dependent position to any other foreign organization or political party.

3. Support by political parties of any relations with political parties, public organizations linked to the state recognized by the Verkhovna Rada of Ukraine as the aggressor or the occupant state, as well as included in the List of political parties and public organizations of foreign states, which pose a threat to national security, published on the official website of the Ministry of Foreign Affairs of Ukraine, is prohibited.

4. Political parties may establish international unions (federations) or join such unions (federations), the charters of which provide for the establishment of only consultative or coordinating central bodies.

**Section II.**

**ESTABLISHMENT AND REGISTRATION PROCEDURE OF POLITICAL PARTIES**

**Article 9. Establishment of a political party**

1. The decision to establish a political party is made at the constituent congress (meeting, conference) of its founders and is recorded in the minutes, which are signed by the Chair and secretary.

2. The founders of a political party may be citizens of Ukraine who, in accordance with the Constitution of Ukraine, have the right to vote in elections, are not members of already registered parties and in respect of whom there are no restrictions on party membership. The number of founders of a political party may not be less than two hundred.

3. The minutes of the constituent congress (meeting, conference) of a political party must contain information on:

- 1) date and place of the constituent congress (meeting, conference);
- 2) persons who took part in the constituent congress (meeting, conference);
- 3) a decision on the establishment of a political party indicating the purpose of the activity;
- 4) a decision on determining the name and, if available, the abbreviated name of a political party;
- 5) decision on approval of the charter and program of the political party;
- 6) decision on approval of the ethical code (if approved at the constituent congress (meeting, conference));
- 7) the decision on the election of the head, determination of the quantitative and personal composition of the governing and control-audit bodies of the political party in accordance with the approved charter;
- 8) decision on determining the person (persons) who has the right to represent a political party for registration actions.

4. The register of persons who participated in the constituent congress (meeting, conference) of a political party shall be an integral part of its minutes. The register shall contain data on the participants of the constituent congress (conference, meeting) of a political party: surname, name and patronymic of the person, passport data, registration number of the taxpayer's account card or series and number of passport (for individuals who refused to obtain the registration number of the taxpayer's account card because of their religious beliefs, notified the relevant supervisory authority and have a mark in the passport on the right to make payments based on passport series and number). Data about the person are certified by their personal signature. Signatures can be collected both by hand signature and by applying a qualified electronic signature in accordance with the legislation in the field of electronic fiduciary services and electronic identification.

5. Citizens of Ukraine who participated in the constituent congress (meeting, conference) of a political party and submitted applications to become a member of this party before the date of its state registration shall acquire the status of a party member from the date of state registration of a political party.

#### **Article 10.** Creation of the structural divisions of a political party

1. A political party may have republican in the Autonomous Republic of Crimea, oblast, city, district, district in the city and other party organizations, primary (settlement, village, block, street, etc.) offices, voter outreach centers, analytical, coordination and other centers, interregional and other structural units, provided that they are directly envisaged by the charter of the political party.

The activities of party organizations extend to the following territorial and administrative units based on the branch status:

- Republican in the Autonomous Republic of Crimea – to the territory of the Autonomous Republic of Crimea;
- regional, district, district in the city – to the territory of the relevant region, district, district in the city;
- Kyiv, Sevastopol city – to the territory of the cities of Kyiv, Sevastopol, respectively;
- city organization of the party – to the territory of the city in accordance with the administrative-territorial structure, or to the territory of the city territorial community.

The village, settlement primary center extends its activity to the territory of the village, settlement according to the administrative-territorial structure or to the territory of the village, settlement territorial community.

2. Structural units of a political party are created under the procedure envisaged by the charter.

3. A political party shall, within six months from the date of state registration, ensure the formation and registration, in accordance with the procedure established by this Law and the party's charter, of its regional organizations in at least five electoral regions of Ukraine.

4. The decision to establish a structural unit envisaged in the charter of a political party shall be made at the constituent assembly (conference) of the relevant structural entity of the political party and shall be recorded by minutes signed by the Chair and Secretary. Only members of a political party may participate in the constituent assembly (conference) on the establishment of a structural unit.

5. The minutes of the constituent assembly (conference) on the formation of a structural unit envisaged in the charter of a political party must contain the following information:

- 1) date and place of the constituent assembly (conference);
- 2) decision on election of the Chair and Secretary;
- 3) a decision on the formation of a structural unit envisaged by the charter of a political party;
- 4) a decision on determining the name of a structural unit envisaged by the charter of a political party;
- 5) a decision on the election of the head, determination of the quantitative and personal composition of the governing and control-audit bodies of the structural unit envisaged by the charter of the political party;
- 6) a decision on determining the person (persons) authorized to represent the structural unit envisaged by the charter of a political party to carry out registration actions.

6. An integral part of the minutes is the register of persons who participated in the constituent assembly (conference) of the structural unit envisaged by the charter of the political party. The register shall contain data on the participants of the constituent assembly (conference) of the structural unit envisaged by the charter of the political party: surname, name and patronymic of the person, their passport data, registration number of the taxpayer's account card or passport series and number (for individuals who refused to obtain the registration number of the taxpayer's account card because of their religious beliefs, notified the relevant supervisory authority and have a mark in the passport on the right to make payments based on passport series and number). Data about the person are certified by their personal signature. Signatures can be collected both by hand signature and by applying a qualified electronic signature in accordance with the legislation in the field of electronic fiduciary services and electronic identification.

**Article 11. State registration of a political party and its structural units**

1. A political party has the right to start its activities on the day following the day of its state registration. Unregistered political parties are not allowed to engage in any activity.

2. State registration of political parties and its structural units envisaged by the charter of a political party shall be carried out in accordance with the procedure established by the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations".

State registration of a political party or its structural units may be carried out through the electronic services portal.

3. A political party acquires the legal entity status from the moment of state registration in the manner prescribed by law.

State registration of party organizations or other structural entities of a political party provided for by the charter of a political party results in gaining the legal entity status, if such status is provided by the charter of a political party, or without the legal entity status.

The state registration of the primary cell of a political party is carried out without granting the legal entity status, by notice of the primary cell establishment.

4. State registration of structural units envisaged by the charter of a political party, as well as legalization of the primary cells of a political party shall be carried out only after the state registration of a political party.

Only one party organization of the relevant type (republican in the Autonomous Republic of Crimea, oblast, city, rayon, rayon in a city) may be registered in one administrative-territorial unit with the acquisition of the legal entity status, if such status is provided by the charter of a political party, or without the legal entity status.

5. A political party shall submit the necessary documents for amending the information about a political party, its structural entities contained in the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations (hereinafter – the Unified State Register),

in accordance with the Law of Ukraine "On the state registration of legal entities, individual entrepreneurs and public associations", not later than 10 working days after taking the decision on the relevant changes.

A party organization may change its location only within the administrative-territorial unit where the relevant party organization was registered.

6. The decision to amend the information about a political party, its structural units as contained in the Unified State Register shall be made in the manner prescribed by the charter of the political party and shall be recorded in the relevant authorized body meeting minutes.

7. The register of participants is an integral part of the authorized body meeting minutes, which shall indicate the following: last name, first name and patronymic, passport data, registration number of the taxpayer's account card or passport series and number (for individuals who refused to obtain the registration number of the taxpayer's account card because of their religious beliefs, notified the relevant supervisory authority and have a mark in the passport on the right to make payments based on passport series and number). Data about the person are certified by their personal signature. Signatures can be collected both by hand signature and by applying a qualified electronic signature in accordance with the legislation in the field of electronic fiduciary services and electronic identification.

8. The Ministry of Justice of Ukraine shall ensure the functioning of the Register of Political Parties with the possibility of open 24/7 access to information on registered political parties and all their structural units.

The access to the Register of Political Parties allows to view, copy and print information, and is also accessible as a data set (electronic document) organized in a format that allows its automated processing by electronic means (machine reading) for reuse.

#### **Article 12. Political party charter**

1. A political party must have a Charter, which must be published on the official website (if available) or otherwise on the Internet within five working days from the date of its registration (registration of amendments thereto, etc.).

2. The charter of a political party must contain the following information:

- 1) the name of the political party and, if any, its abbreviated name;
- 2) the list of governing and other constituent bodies of the political party, the procedure for their formation and change of composition, the scope of their powers;
- 3) the procedure for convening and holding a political party congress (meeting, conference), including the procedure for publishing information about the time and place of regular and extraordinary party congresses (meetings, conferences), representation quotas, procedure for determining representatives and the mandate of party congresses (meetings, conferences), as well as the procedure for convening and holding meetings, conferences of party organizations;
- 4) the list of control and audit bodies of a political party, the procedure for their formation and change of composition, the scope of their powers;
- 5) the procedure for forming and changing the composition of the party's disciplinary bodies, disciplinary measures applicable to party members, the procedure for appealing against decisions, actions or omissions of the party's disciplinary bodies and consideration of complaints;
- 6) the procedure for acquiring membership in a political party, the grounds and procedure for suspending and terminating membership in a political party, the rights and obligations of members of a political party;
- 7) the procedure for creation and termination, the general structure and powers of structural units of a political party (party organizations, its primary branches and other structural units, etc.);
- 8) the procedure for reporting factions (groups) of elected bodies, MPs of Ukraine and deputies of local councils elected from party lists to a political party;
- 9) sources of material and financial support of the political party, its structural units, the procedure of making expenses of the political party and its structural units;
- 10) the procedure for engaging an audit firm to conduct an external independent audit of financial reporting;



- 11) the procedure for adopting, making changes and additions to the charter of a political party, the program of a political party and other program documents;
- 12) the procedure for adopting, amending and supplementing the party's ethical code and other party regulations;
- 13) the procedure for adopting and amending the size and mechanism of quotas, which determines the level of representation of women and men in the electoral list of candidates for MPs of Ukraine from the party in the national multi-member constituency, candidates for local councils in multi-member constituencies and should not be less than 30 percent of the total number of candidates on the electoral list;
- 14) the procedure for appealing against decisions, actions or omissions of the governing and other constituent bodies of a political party;
- 15) the procedure for liquidation (self-dissolution), reorganization of a political party, including by merging with another party or parties, use of its funds and other property remaining after its liquidation (self-dissolution).

**Article 13.** Programs of political parties (party organizations)

1. A political party must have a program to be published on the party's official website or otherwise on the Internet within five working days from the date of its registration (registration of changes to it).

The program of a political party is a fundamental document, which sets out the ideological principles and values, principles of activity, political goals and objectives of the political party, as well as ways to achieve them.

2. A political party may have other program documents (in particular, special programs or positions on policies in certain areas), which are formed with the participation of party members and representatives of various groups and sectors to which these programs and positions are addressed.

3. Electoral program of a political party (party organization) – a document which sets out the main ideas, goals of the political party (party organization), which intends to nominate candidates in the relevant elections, as well as tasks and directions of planned activities of political party candidates (party organizations) in case of their election.

The electoral program shall not contradict the program of a political party approved in accordance with the procedure established by this Law. The electoral program of a political party (party organization) is formed as a result of internal discussion and approved by the congress (meeting, conference) of the political party (party organization).

The state guarantees that voters are informed about the electoral programs of political parties (party organizations) – the subjects of the election process through special information support of the election.

The electoral program of a political party (party organization) – the subject of the election process can be published in accessible formats that enable voters with health impairments (due to disability, temporary health disorders, age) to review these programs using reasonable accommodations.

**Article 14.** Ethical code of a political party

1. A political party must have its own ethical code, which must be published on the official website of the party (if available) or otherwise on the Internet within five working days from the date of its approval (approval of changes to it, etc.).

2. The ethical code of a political party is a document that reflects the system of values and moral and ethical relations between party members, establishes ethical norms and standards of public behavior of party members taking into account the principles of non-discrimination, and / or defines behavior incompatible with party member status. The ethical code sets standards for public communication, including with political opponents, party donors, party supporters, voters, etc., taking into account the principles of political party activity provided for in Article 3 of this Law.

3. The ethical code of a political party may contain provisions to encourage party members to engage in activities that contribute to the development of the political party, its structural unit.

4. The ethical code may be adopted at the constituent congress (meeting, conference) of the party or the regular / extraordinary congress (meeting, conference) of the party, but not later than one calendar year from the date of state registration of the party.
5. The procedure for holding liable for non-compliance with the provisions of the party's ethical code and disciplinary measures to be applied to party members shall be determined by the charter of the political party.
6. Members of a political party must comply with the requirements of the ethical code.

**Article 15.** Name and symbols of a political party

The name of a political party should reflect its values and ideological orientation or reflect information about the party's priorities.

2. The name of a political party, its symbols must not coincide with the name or symbols of another (registered) political party.
3. It is prohibited to use the surname, first name, patronymic of individuals, names of state authorities and local self-government bodies, names of administrative-territorial units of Ukraine or foreign states, names of historical regions of Ukraine, names of communist, National Socialist (Nazi) totalitarian regimes, to indicate the political position of the party based on the election results (exercise of power, opposition activities), to determine the ethnic or racial affiliation of party members or any other person.

When changing the name of a political party, the name of the party organizations that have acquired the status of a legal entity must be brought in line with the name of the political party within one calendar year from the date of such change.

4. A political party may have party symbols, which include the party anthem, flag, identification mark, and motto. The symbols of a political party are approved in the manner prescribed by its charter.
5. The decision to approve the symbols must contain: the type of symbols (party anthem, flag, identification mark, motto), its image and description.
6. The description of the symbols must contain information about the colors, scales and proportions of the elements of the symbols.
7. The image of the party symbols must contain the full or abbreviated name of the political party and may not reproduce:
  - 1) state symbols of Ukraine;
  - 2) other official symbols or signs used by state authorities and local self-government bodies, state and other awards, seals and other distinctive signs of the said bodies;
  - 3) state emblems, flags or official names of other states;
  - 4) the name or image of an individual without the written consent of such person or their heirs, certified in the manner prescribed by law, unless otherwise provided by law;
  - 5) other symbols and signs, the use of which is restricted by law.
8. Literal reproduction in the symbols of a political party of state symbols of Ukraine, use of symbols of foreign states is prohibited.
9. The symbols of a communist, National Socialist (Nazi) totalitarian regimes cannot be used in the symbols of a political party.
10. The symbols of a political party must be different from the image of already registered symbols of other political parties and are subject to state registration in the manner prescribed by the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations".

**Article 16.** Confirmation of the political party activity

1. A political party shall, within one calendar year from the date of state registration, ensure the involvement of at least two thousand citizens of Ukraine in at least five constituencies of Ukraine to confirm its activities.
2. If a political party has more than two thousand full members of the party, the Ministry of Justice of Ukraine shall enter information on the confirmation of the political party's activity in the Register of Political Parties.
3. The Ministry of Justice of Ukraine shall receive information on the number of members of a political party from the Unified Register of Members of Political Parties.
4. A political party that has not confirmed its activities may not participate in elections.

5. The procedure for obtaining information on members of political parties and confirmation of the activities of political parties shall be approved by the Ministry of Justice of Ukraine.

**Article 17.** Opening of bank accounts by political parties (party organizations)

1. A political party and all its local organizations that have acquired the status of a legal entity shall be obliged to open at least one bank account with a bank within 30 calendar days from the date of registration.
2. Details of such bank accounts shall be published on the official website of the political party or the relevant party organization (if any) and indicated in the report on the property, income, expenses and financial liabilities of the political party.
3. A political party (party organization) may acquire, use and store funds exclusively through banking operations.
4. Relevant banks shall notify the National Agency on Corruption Prevention of the opening and closing of bank accounts within three banking days in accordance with the procedure established by the National Bank of Ukraine in agreement with the National Agency on Corruption Prevention.

**Section III.  
MEMBERSHIP IN POLITICAL PARTIES**

**Article 18.** The right to become a member of political parties and its restrictions

1. Only citizens of Ukraine who, in accordance with the Constitution of Ukraine, have the right to vote in elections, may be the members of political parties.
2. There must be no privileges or restrictions on membership in a political party on the grounds of race, color, religion, sex, ethnic or social origin, property status, place of residence, language or other grounds.
3. A political party has the right to deny membership to a person who does not adhere to its program goals, visions and values.
4. A citizen of Ukraine may not be a member of two or more political parties at the same time.
5. The following categories of citizens may not be the members of political parties:
  - 1) judges;
  - 2) judges of the Constitutional Court of Ukraine;
  - 3) prosecutors;
  - 4) police officers;
  - 5) employees of the Security Service of Ukraine;
  - 6) military personnel;
  - 7) employees of customs and tax authorities;
  - 8) staff of the State Penitentiary Service of Ukraine;
  - 9) employees of the National Anti-Corruption Bureau of Ukraine;
  - 10) employees of the State Bureau of Investigations;
  - 11) employees of the National Agency on Corruption Prevention;
  - 12) employees of the Specialized Anti-Corruption Prosecutor's Office;
  - 13) employees of the National Agency of Ukraine for Detection, Search and Management of Assets Proceeding from Corruption and Other Crimes;
  - 14) civil servants in the cases provided by the Law of Ukraine "On Civil Service";
  - 15) members of the Central Election Commission;
  - 16) members of national commissions for the regulation of natural monopolies;
  - 17) employees of state bodies who are directly responsible for the implementation of state control over the activities of political parties and compliance with the procedure for their financing.
6. During their tenure in the positions or service specified in part five of this article, members of a political party shall suspend their membership in the party.

**Article 19.** Openness of political party membership

1. A political party is obliged to enter information about its members in the Unified Register of Members of Political Parties.

The Unified Register of Members of Political Parties is an information and telecommunication system that provides collection, accumulation, processing, protection, accounting and provision of information on members of political parties registered in Ukraine, administered by the Ministry of Justice of Ukraine.

The Ministry of Justice sets the deadlines for submission, list and form of information provided by political parties about their members, reflecting the indicator of aggregation by gender, and also approves the provisions on the Unified Register of Members of Political Parties.

2. The Ministry of Justice shall provide open public access to the Unified Register of Political Party Members only with regard to information on the number of political party members, indicating the last name, first name and patronymic of each political party member, reflecting gender aggregation.

3. The access to the Unified Register of Members of Political Parties allows to view, copy and print information, and is also accessible as a data set (electronic document) organized in a format that allows its automated processing by electronic means (machine reading) for reuse.

**Article 20.** Procedure of acquisition, suspension and termination of a membership in a political party

1. The procedure for acquisition, suspension (in particular, for the duration of a person's tenure on an office or service established by this Law) and termination of membership in a political party shall be determined by its charter, except for issues regulated by this Law.

A mandatory condition for acquiring membership in a political party is the statement of a citizen of Ukraine expressing their will to become a member of this party, except as provided in part five of Article 9 of this Law.

The application is submitted to the authorized body of the political party.

2. Membership in a political party shall be terminated in case of:

- 1) the person's own initiative;
- 2) termination of citizenship of Ukraine or acquisition of citizenship of another state;
- 3) expulsion of a person from a political party;
- 4) entry into force of a court decision declaring a person missing or dead;
- 5) death of a person;
- 6) prohibitions of a political party in accordance with the procedure established by this Law.

3. A person has the right to suspend or terminate their membership in a political party at any time by submitting an application to the relevant authorized body of the political party. Membership in a political party is suspended or terminated from the date of submission of such an application and does not require additional decisions. From the same day, the membership of a citizen of Ukraine in the constituent bodies of the political party to which they were elected (delegated), as well as holding any position in the political party for which they were elected (appointed) is automatically terminated.

4. The authorized body of a political party shall suspend membership in a political party or exclude a person from the list of members of this party and notify the Ministry of Justice of Ukraine in case of suspension or termination of membership, if there are grounds envisaged by part 5 of Article 18 of this Law, within 5 working days from the date of submission of the application or from the date of election of a new leader of a political party or their deputy.

**Article 21.** Grounds and procedure of party member expulsion

1. A political party may expel a person from membership in the following cases:

- 1) termination of citizenship of Ukraine or acquisition of citizenship of another state;
- 2) systematic violations or a single gross violation by a member of a political party of the party charter and/or ethical code;
- 3) repeated acts that contradict the program goals, ideals and values of a political party;
- 4) entry into force of a court conviction for a deliberate crime;

2. The procedure for expelling members of a political party shall be determined by its charter. The authorized bodies of a political party are obliged to immediately notify a person of their expulsion from the political party, if such a decision was made without the participation of this person.

3. The expulsion of a person from a political party may be appealed to the higher bodies of the political party under the procedure prescribed by the party's charter.

4. The expulsion of a person from a political party may be challenged in court.

**Article 22.** Disciplinary liability of a political party members

1. A political party may hold its members to disciplinary liability in the cases provided for by this Law and the party's charter.

2. The party's charter may provide for the imposition of the following disciplinary sanctions to its members:

1) warning;

2) reprimand;

3) premature termination of powers in a position in the constituent body of a political party;

4) expulsion from the membership of a political party.

The procedure for bringing members of a political party to disciplinary responsibility shall be established by its charter.

3. Disciplinary bodies shall be formed within the bodies of a political party to consider and resolve issues of holding its members to disciplinary liability, taking into account the network of its structural units in the electoral regions of Ukraine, and a special constituent body shall be formed to consider complaints of political party members against disciplinary sanctions applied to them.

**Section IV.  
ACTIVITIES OF POLITICAL PARTIES**

**Article 23.** Organization of political parties' activity

1. The highest governing body of a political party is the party congress (meeting, conference). A political party is obliged to convene regular party congresses (meetings, conferences) at least once a year.

A political party is obliged to convene an extraordinary party congress (meeting, conference) at the request of at least one third of party organizations within 30 calendar days from the date of receipt of the required number of minutes of meetings, conferences of party organizations requesting its convening. The minutes indicate the issues that the initiators of the extraordinary party congress (meeting, conference) bring up for discussion. The level of party organizations that have the right to demand an extraordinary party congress (meeting, conference) is determined by the charter of the political party.

Other grounds for convening extraordinary party congresses (meetings, conferences) may be established in the charter of a political party.

The procedure for publishing information about the time and place of regular and extraordinary party congresses (meetings, conferences), as well as the rules of representation, the procedure for appointing representatives and the authority of party congresses (meetings, conferences) is determined by the charter of the political party.

2. The highest governing body of the party organization is the meeting, conference of the party organization. Party organizations are obliged to convene regular meetings, conferences of party organizations at least once a year.

Party organizations are obliged to convene an extraordinary meeting, conference of the party organization at the request of at least one third of party members no later than 15 calendar days from the date of receipt of the required number of signatures of party members in support of such request. The initiators of convening an extraordinary meeting, conference of the party organization determine the issues they bring up for discussion.

Other grounds for convening extraordinary meetings and conferences of party organizations may be established by the charter of a political party.

**Article 24.** Scope of powers of a party congress (meeting, conference)

1. Party congresses (meetings, conferences) may decide on any issues of political party activity that pertain within their competence by law or the charter of the political party.

Decisions of party congresses (meetings, conferences) are taken by open voting, unless otherwise provided by law or the party's charter.

2. Decisions within the exclusive competence of the party congress (meeting, conference) include the following issues:

- 1) on approval of the charter of a political party and amendments to it;
- 2) on approval of the program of a political party and amendments to it;
- 3) on the reorganization of a political party;
- 4) on liquidation (self-dissolution) of a political party;
- 5) on approval of the electoral program of a political party for participation in elections to the Verkhovna Rada of Ukraine;
- 6) on approval of the annual work plan of the political party, the annual work report and the annual financial report of the political party.
- 7) on approval of the refusal of a political party to receive funds from the state budget for its statutory activities;
- 8) on other matters determined by law or the charter of a political party as pertaining to the exclusive competence of the party congress (meeting, conference).

3. Decisions that are the exclusive competence of a party congress (meeting, conference) and are adopted only by secret ballot include decisions:

- 1) on the election of the head of a political party, the composition of the governing bodies of a political party;
- 2) on vote of no confidence in the leader of a political party, the governing bodies of a political party;
- 3) on other issues determined by law or the charter of a political party as pertaining to the exclusive competence of the party congress (meeting, conference).

4. Powers to resolve issues that fall within the exclusive competence of party congresses (meetings, conferences) may not be delegated to other constituent bodies of a political party.

#### **Article 25.** Scope of powers of party organizations meetings, conferences

1. Meetings and conferences of party organizations may decide on any issues of the party organization's activity that fall within their competence by law or the charter of a political party. Decisions of meetings, conferences of party organizations are taken by open voting, unless otherwise provided by law or the charter of a political party.

2. Decisions pertaining to the exclusive competence of the meeting, conference of the party organization, include decisions:

- 1) on liquidation (self-dissolution) or reorganization of the party organization;
- 2) on approval of annual plans and reports of the party organization;
- 3) on nomination of candidates for deputy positions in local councils and for the position of village, settlement, city mayor;
- 4) on the election of delegates from the organization of the party to the party congress (meeting, conference);
- 5) on other issues determined by law or the charter of the political party, as the exclusive competence of the meeting, conference of the party organization.

2. Decisions pertaining to the exclusive competence of the meeting, conference of the party organization and must be taken exclusively by secret ballot, inclusive of the following:

- 1) on the election of the head of the party organization, the composition of the governing bodies of the party organization;
- 2) on vote of no confidence in the head of the party organization, the governing bodies of the party organization;
- 3) on other issues determined by law or the charter of the political party, as the exclusive competence of the meeting, conference of the party organization.

#### **Article 26.** Specifics of the formation of the political party governing bodies

1. The leader of a political party shall be elected exclusively by secret ballot at least once every five years. A party congress (meeting, conference) has the right to re-elect the leader of a political party at any time. The powers of the leader of a political party, the term of office and the possibility of re-election for several consecutive terms are determined by the charter of the political party.

2. The composition of the governing bodies of a political party shall be elected at least once every five years. The list of governing bodies of a political party, their number and powers, the procedure for election, the term of office and the possibility to re-elect persons to the governing bodies of a political party for several consecutive terms is determined by the charter of the political party.
3. The number of MPs of Ukraine in the governing bodies of a political party may not exceed half of them.
4. The size of quotas on representation of women and men in the governing bodies of a political party must be at least 30 percent of the total number of persons who are members of the governing bodies of a political party.
5. The formation of the governing bodies of a political party takes place in compliance with the principle of rotation of representatives of party organizations. The procedure for applying the principle of rotation is determined by the charter of the political party.

**Article 27.** Decisions by poll

The charter of a political party may provide for the procedure of decision-making by the party congress (meeting, conference) and/or meeting, conference of the party organization by remote voting (poll).

**Article 28.** Peculiarities of holding congresses (meetings, conferences) of political parties (party organizations) for the purpose of nominating candidates, applying for cancellation of the decision on registration of candidates in the relevant elections

1. The procedure for forming proposals to the electoral lists of a political party (party organization) shall be determined by the charter of this political party. A political party may stipulate in its charter the procedure for determining the candidates to be nominated by the party in the relevant elections by establishing special internal party procedures ("primaries").
2. Political party (party organization) shall nominate candidates in accordance with the procedure established by the electoral legislation and the charter of this political party. A political party nominates candidates for the election of the President of Ukraine and Members of Parliament of Ukraine at the congress (meeting, conference) of a political party, and candidates for local elections shall be nominated at meetings, conferences of the organization of a political party.
3. The congress (meeting, conference) of a political party (party organization) for the nomination of candidates in the relevant elections shall be held openly in compliance with the accessibility requirements for less mobile populations.  
Notification of the time and place of the congress (meeting, conference) of a political party (party organization) in order to nominate candidates, the procedure for accreditation of media representatives at such a congress (meeting, conference), determined by its organizers, shall follow the procedures envisaged by the electoral legislation.  
Authorized representatives or official observers from public organizations who received permission from the Central Election Commission to have official observers in the relevant elections have the right to be present at the congress (meeting, conference) of a political party (party organization) on nomination of candidates in the relevant elections without prior permission or invitation of the organizers (not more than one observer or authorized representative from one public organization).
4. The congress (meeting, conference) of a political party (party organization) for the nomination of candidates in the relevant elections must create conditions for free and comprehensive discussion of the candidate (candidates) proposed (nominated) for nomination and election programs.
5. The minutes of the congress (meeting, conference) of a political party (party organization), which considered the nomination of candidates in the relevant elections, shall indicate the date of its holding, the agenda, the number of elected and present delegates, information on the nominees, indication of which is provided by the electoral legislation, results of voting (number of votes "for", "against", "did not take part in voting") concerning the decision on nomination of each candidate, electoral list or list of candidates in the respective elections.

The minutes of the congress (meeting, conference) of a political party (party organization), which considered the nomination of candidates in the relevant elections, are posted on the official website of the party (party organization) in a format that allows its automated processing by electronic means (machine reading) for reuse (in open data format).

6. The list and order of candidates for deputy positions determined by a political party (party organization) may not be changed after the submission of documents for their registration by the relevant election commission. Changes in the list and order of candidates nominated by a political party (party organization) to correct or clarify errors and inaccuracies in the documents submitted for registration of candidates are not allowed. The order of candidates in the electoral list may be changed only based on the results of voting under the conditions and the procedure defined by the electoral legislation.

7. A political party (party organization) may apply to the relevant election commission with a request to cancel the resolution on registration of a candidate for a deputy position, candidate for the position of village, settlement, city mayor nominated by this party (party organization) in the relevant elections defined by electoral legislation.

The decision to apply for cancellation of the resolution on registration of a candidate for deputy position, candidate for the position of village, settlement, city mayor, nominated by a political party (party organization) in the relevant elections, is made at the congress (meeting, conference) of the political party (party organization) in the manner prescribed by the electoral legislation and the charter of the political party by the same governing body of the political party (party organization) that made the decision to nominate this candidate in the relevant elections.

Notification of the time and place of the congress (meeting, conference) of a political party (party organization), which will consider the issue of applying for cancellation of the resolution on registration of a candidate for a deputy position, candidate for village, settlement, city mayor nominated by the party (organization of the party) at the relevant elections, the procedure for accreditation of media representatives to such congress (meeting, conference), is posted on the official website of the party (party organization) not later than one day before the congress (meeting, conference).

Authorized representatives or official observers from public organizations who received permission from the Central Election Commission to have official observers in the relevant elections have the right to attend the congress (meeting, conference), where the issue of applying for cancellation of the resolution to register a candidate to an MP, a council deputy position, a candidate for the position of village, settlement, city mayor, nominated by a political party (party organization) in the relevant elections is being considered, without prior permission or invitation of the organizers (not more than one observer or authorized representative from one public organization).

8. The minutes of the congress (meeting, conference) at which the issue of appeal with the application for cancellation of the decision on registration of the candidate to an MP, a council deputy position, the candidate for a position of the village, settlement, city mayor nominated by political party (party organization) specify its date, agenda, number of attendees, reasons for voting on the decision to apply for deregistration of individual candidates, the results of voting on the deregistration of individual candidates.

The minutes of the congress (meeting, conference) at which the issue of applying for cancellation of the resolution on registration of a candidate to an MP, a council deputy position, candidate for the position of village, settlement, city mayor nominated by a political party (party organization) is posted on the party's official website (party organization) in a format enabling its automated processing by electronic means (machine reading) for reuse (in the format of open data).

## **Section V. PRIVATE FUNDING OF POLITICAL PARTIES**

### **Article 29.** Private funding of political parties

1. Private financing of political parties may be provided by individuals and legal entities (except for the persons specified in part one of Article 36 of this Law) by making donations in support of a political party (party organizations).



Types of donations that can be made to support political parties:

- 1) monetary donation;
  - 2) property donation;
  - 3) donation in form of works or services;
  - 4) donation in form of intangible assets;
  - 5) donation in form of preferences, privileges or other intangible benefits;
  - 6) a donation made by financing events or activities in favor of a political party.
2. The procedure for making and receiving donations in support of a political party shall be determined by this Law. Donations made or received in violation of the requirements of this Law may not be used by a political party in its activities.
3. Individuals and legal entities have the right to make donations to various political parties. The number of donations to one political party is not limited, but the total amount (sum) of donation(s) to one political party during one calendar year may not exceed the limits established by Article 36 of this Law.
4. The amount of donations, other than monetary donations, is determined on the basis of the market value of identical or similar works, goods and services in the relevant market and calculated by the political party (party organization) according to the methodology developed and approved by the central executive body responsible for shaping the state fiscal policy, in agreement with the National Agency on Corruption Prevention, taking into account the information provided by an individual or legal entity on the total value (amount) and the amount of own financial and material resources associated with private funding of a political party.
5. A political party (party organization) has the right to carry out an independent assessment of the amount of donations, which involves assessment entities on the basis of an agreement on assessment of certain types of donations in compliance with national assessment standards and other regulations on independent assessment.
6. The following are not a donation to a political party:
- 1) carrying out charitable activities by members of a political party, deputies of all levels of councils elected by a political party (party organization), provided that the name of the party (party organization) is not mentioned and/or the image of party symbols is not used.
  - 2) property or intangible assets that a political party transferred to its local party organizations, and/or property that was transferred between individual party organizations.

### **Article 30. Monetary donations**

1. Monetary donations may be made by individuals and legal entities only in non-cash form by transferring the relevant amount to the bank account (including the account of the election fund) of a political party (party organization).

If the monetary donation is made by an individual, the chosen method of banking transaction must provide the possibility to identify this individual (including if such banking transactions are Internet-based).

The document formed as a result of such a banking transaction must contain information about the surname, name and (if any) patronymic, place of residence, registration number of the taxpayer's account card or identification number according to the State Register of Individuals – Taxpayers and Other Obligations (for persons who, due to their religious beliefs, refused to obtain the registration number of the taxpayer's account card and notified the relevant supervisory authority and have a mark in the passport – the number and (if any) series of the passport of a citizen of Ukraine with a record of refusal to accept the registration number of the taxpayer's account card of Ukraine in electronic touch-free carrier), date of birth, purpose of payment.

2. The amount of the monetary donation shall be determined by the amount of funds transferred to the political party and/or its local organizations (including to their election funds).

3. The following are not monetary donations in support of a political party:

- 1) funds received by a political party within the framework of state funding of its statutory activities on the grounds and under the procedure defined by this Law;
- 2) funds received on the accounts of a political party from the accounts of its party organizations, as well as funds received on the accounts of party organizations from the accounts of a political party;

- 3) funds returned to the accounts of a political party (party organization) as an unused part of payment for goods, works or services (including the return of advance payments);
- 4) funds returned to the accounts of a political party (party organization) from the relevant accounts of election funds;
- 5) a monetary deposit returned to the accounts of a political party (party organization) from a special account of the Central Election Commission or the relevant election commission, on the grounds and in accordance with the procedure established by the electoral legislation;
- 6) funds returned to the accounts of a political party (party organization) for any other reason (return of funds transferred by error, etc.);
- 7) funds transferred to the accounts of a political party (party organization) by error;
- 8) funds received on the accounts of a political party (party organization) as income from the legal activities of a political party (party organization) (receipt of rent payments, interest on deposit accounts, etc.);
- 9) funds received on the accounts of a political party (party organization) and being a form of penalties under civil or commercial agreements (fine, penalty), a means of enforcing court verdicts or decisions of other state bodies (debt repayment, damages, compensation for moral damage, etc.).

**Article 31. Property donations**

1. Property donations are donations with movable or immovable property, property rights, securities, as well as other types of property (except cash), which may be made by individuals and legal entities by free-of-charge transfer (donation) of this property (goods) to a political party (party organization).
2. Property donations in the amount of more than fifty subsistence minimums for able-bodied persons, established on January 1 of the year in which such donations are made, as well as of real estate and vehicles (regardless of their value), may be made only based on written civil or commercial agreements (in particular, donation agreement) and the actual implementation of the terms of these agreements.
3. Property which has been acquired by a political party on general terms, as well as received by it in exchange for equivalent property, shall not be considered a property donation in favor of a political party.
4. Acquisition or receipt of property on preferential terms (at a price lower than the market price or in exchange for a product with a lower price) constitutes a donation, the procedure for granting and receiving of which is regulated by Article 34 of this Law.

**Article 32. Donations in form of works and services**

1. Donations in form of works or services may be made by individuals and legal entities through free performance of works or provision of services to a political party (party organization).
2. Donations in form of works or services in the amount of more than fifty subsistence minimums for able-bodied persons, established on January 1 of the year in which such donations are made, may be made only based on a relevant written civil or commercial agreement and actually fulfilling the terms of such agreement.
3. Works and services performed or provided to a political party on general terms shall not be a donation.
4. If the results of works were obtained or services were consumed on preferential terms (at a price lower than the market price), this constitutes a donation, the procedure for providing and receiving which is regulated by Article 34 of this Law.

**Article 33. Donations in form of intangible assets**

1. Donations in form of intangible assets may be made by individuals and legal entities by gratuitous transfer (donation) of these intangible assets to a political party (party organization).
2. Donations by intangible assets in the amount of more than fifty subsistence levels for able-bodied persons established on 1 January of the year in which such donations are made, may be made only by concluding a relevant written civil or commercial agreement and actually fulfilling the terms of such agreement.
4. An intangible asset acquired by a political party on general terms shall not be considered a donation of intangible assets to a political party.

5. Acquisition or receiving of an intangible asset on preferential terms (at a price lower than the market price) constitutes a donation, the procedure for granting and receiving which is regulated by Article 34 of this Law.

**Article 34.** Donations in form of preferences, privileges or other intangible benefits

1. Individuals and legal entities may make donations to a political party by providing a political party (party organization) with preferences, privileges or other benefits of an intangible nature, including through the sale of property, intangible assets, performance of works or provision of services on preferential terms (at a price below the market value of identical or similar property, intangible assets, works or services in the relevant market).

2. An individual or a legal entity that has granted a political party (party organization) a preference, privilege or other benefit of an intangible nature, shall notify the relevant political party (party organization) and the National Agency on Corruption Prevention within 10 calendar days from the date of such donation. Such notification shall specify the date (period), content and value of the preference, privilege or other non-material benefit granted to the political party (party organization).

3. Preferences, privileges and other intangible benefits shall be considered a donation to a political party only if their value can be reliably determined. Non-monetary preferences, privileges and other non-material benefits are not a donation and are not reflected in the financial reports of a political party.

4. The amount of the donation made through the sale of property, intangible assets, performance of works or provision of services on preferential terms is calculated as the difference between the market value of identical or similar property, intangible assets, works or services in the relevant market and the amount actually paid by a political party for purchased property, intangible assets, work performed or services provided.

**Article 35.** Donations in form of funding of events or activities in favor of a political party

1. Individuals and legal entities have the right to finance any events or activities not prohibited by the legislation of Ukraine, which are implemented by a political party (party organization), by full or partial payment for property (goods), intangible assets, works or services provided to a political party (party organizations) by third parties (including paying for services related to the organization of public events, production and distribution of political advertising or any other information aimed at promoting the political party, its ideology, leaders, etc.).

2. Individuals and legal entities have the right to independently carry out any events or activities not prohibited by the law of Ukraine (organize public events, order, produce and distribute political advertising, disseminate in any way information aimed at promoting a political party, its ideology, leaders, etc.) for the benefit of a political party (regardless of the presence or absence of consent and knowledge of a political party about such events) on their own initiative, on their own behalf, and at their own expense.

3. An individual or a legal entity who has made a donation by funding events or activities for the benefit of a political party, shall notify the relevant political party (party organization) and the National Agency on Corruption Prevention within 10 calendar days from the date of such donation. Such notification shall specify the date (period), content, list and total cost (amount) of financial or material expenses associated with the financing of such events or activities.

**Article 36.** Restrictions in making donations to a political party (party organizations)

1. The following types of donors may not make donations to support political parties (party organizations):

1) public authorities and local government bodies;

2) state and community-owned enterprises, institutions and organizations;

3) legal entities in which more than ten percent of the authorized capital or more than ten percent of the votes in the highest governing body directly or indirectly belong to the state and / or local governments;

4) legal entities, the ultimate beneficial owners (controllers) of which are the persons specified in subparagraphs a, c-i of paragraph 1 of part one of Article 3 of the Law of Ukraine "On Prevention of Corruption";

5) foreign states, foreign legal entities, as well as legal entities, 10 or more percent of votes in the supreme governing body of which are directly or indirectly owned by non-residents or foreign legal entities

6) legal entities, the ultimate beneficial owners (controllers) of which are foreigners or stateless persons;

7) public associations, charitable or religious organizations, as well as other political parties;

8) individuals who are not citizens of Ukraine (foreigners and stateless persons), as well as anonymous persons or persons using a pseudonym;

9) citizens of Ukraine under the age of 18, or who have been declared legally incapable in accordance with the procedure established by law;

10) individuals with whom a contract has been concluded for the purchase of works, goods or services to meet the needs of the state or territorial community for a total of more than 50 subsistence minimums for able-bodied persons established on January 1 of the year in which the donation is made, as well as legal entities with which such an agreement is concluded for a total amount of more than 100 subsistence minimums for able-bodied persons, established on January 1 of the year in which the donation is made – during the term of such agreement and for one year after its termination.

2. The total amount (sum) of donation(s) in support of a political party (including all party organizations) from a citizen of Ukraine during one calendar year may not exceed 20 percent of their total income for the last 5 calendar years and may not exceed four hundred subsistence level for able-bodied persons, established on January 1 of the year in which the donations were made.

3. The total amount (sum) of donation(s) to support a political party (including all party organizations) from a legal entity, as well as an individual entrepreneur during one calendar year may not exceed 20 percent of its total income for the last 5 calendar years and may not exceed eight hundred times the subsistence level for able-bodied persons, established on January 1 of the year in which the donations were made.

4. If an individual exercises or may exercise a decisive influence on the activities of one or more legal entities (in particular, is the ultimate beneficial owner (controller) of a legal entity), the total amount (sum) of donations from such individual and legal entities controlled by them during the calendar year may not exceed 20 percent of its total income for the last 5 calendar years and may not exceed four hundred times the subsistence level for able-bodied persons, established on January 1 of the year in which the donations were made.

5. If an individual or a legal entity during the year makes not only donations in favor of a political party, but also voluntary donations to election funds of candidates nominated by a political party (party organization) in the election of the President of Ukraine, elections of Members of Parliament of Ukraine or local elections, the total amount (sum) of these donations may not exceed the limits established by parts two to three of this article.

### **Article 37.** Return of a donation or a part thereof

1. In case of receiving a donation made by an individual or a legal entity in violation of the law (in particular, in case of receiving a donation from a person who is not entitled to make such donation, or if the amount of such donation exceeds the limits set by this Law), whereof a party (party organization) representatives are well aware, a political party (party organization) within thirty calendar days from the date of receipt of such donation is obliged to:

1) take all possible actions necessary to return such donation or part thereof to the donor;

2) in case of impossibility to return such donation – to transfer the amount of funds corresponding to the amount of illegally provided support to the political party to the state budget.

2. In case of receiving a monetary donation from a person who is not entitled to make such donation according to the law, or if the amount of such donation exceeds the amount established by law, the political party (party organization) is obliged to return (transfer) that part to an individual or a legal entity the amount provided to a political party to the extent of the funds incompliant to the requirements of parts one to three of Article 36 of this Law.

3. In case of receiving a property donation from a person who is not entitled to make such donation by law, the political party is obliged to return all received property in kind by

concluding and fulfilling an agreement on free-of-charge transfer (donation) of this property (goods) or legal entity.

In case of receiving a property donation, the amount (value) of which exceeds the amount established by law, the political party at its own discretion makes one of the following decisions:

1) returns the part of the property that was provided to a political party in violation of the requirements of parts two-three of Article 36 of this Law, by concluding and executing a relevant civil or commercial agreement on free-of-charge transfer (donation) of this property (goods) to the relevant individual or legal entity (in particular, if the property is a divisible item);  
2) returns (transfers) to the relevant individual or legal entity a sum of money, which allows to avoid violation of the restrictions established by parts two-three of Article 36 of this Law.

4. In case of receiving a donation in form of works or services from a person who is not entitled to make such donation by law, the political party is obliged to transfer funds to the account of the relevant individual or legal entity in the amount of 100% of the value of the received donation in such a form.

In case of receiving a donation in form of works or services, the amount (cost) of which exceeds the amount established by law, the political party is obliged to transfer to the relevant individual or legal entity the sum of money [in excess of the allowed limit] to avoid violating the restrictions established by parts two – three of Article 36 of this Law.

5. In case of receiving a donation in form of intangible assets from a person who according to the law is not entitled to make such donation, a political party is obliged to return these intangible assets to the relevant individual or legal entity by concluding and fulfilling an agreement on free-of-charge transfer (donation) of these intangible assets. If it is not possible to return such donation, funds in the amount of 100% of the value of the received donation in this form shall be transferred to the account of the relevant person.

In case of receiving a donation in form of intangible assets, the amount (value) of which exceeds the amount established by law, the political party is obliged to transfer to the relevant individual or legal entity the sum of money [in excess of the allowed limit] to avoid violating the restrictions established by parts two – three of Article 36 of this Law.

6. In case of receiving a donation in form of funding of events or activities for the benefit of a political party from a person who is not entitled to make such donation by law, the political party is obliged to transfer funds to the account of the relevant individual or legal entity constituting 100% of the value of the donation received in this form.

If a donation is received in form of funding of events or activities for the benefit of a political party, the value of which exceeds the amount defined by law, the political party must transfer to the relevant individual or legal entity a sum of money [in excess of the allowed limit] to avoid violating the restrictions established by parts two – three 36 of this Law.

## **Section VI.**

### **STATE FUNDING OF POLITICAL PARTIES**

**Article 38.** Form of state funding of political parties and its implementation

1. The statutory activities of political parties shall be financed from the state budget in accordance with the procedure provided for by this Law.

2. If the state budget is divided into general and special funds, the expenses provided for in part one of this Article shall be made from the general fund of the state budget.

3. A political party has the right to receive state funding for statutory activities if in the last regular or pre-term elections of Members of Parliament of Ukraine its electoral list of candidates for MPs of Ukraine in a national multi-member constituency received at least 2 percent of the total number of votes cast for all electoral lists of candidates for MPs of Ukraine in the national multi-member constituency.

4. A political party wishing to receive state funding for its statutory activities must apply to the National Agency on Corruption Prevention with a statement of intent to exercise its right to public funding for its statutory activities, attaching a certificate on opening a separate bank account for receiving and using funds of state financing of its statutory activities. A political party must open such a separate account only in the national currency of Ukraine in a

Ukrainian bank. Funds from the state funding of statutory activities may be received exclusively to such a separate account. Receiving other funds than the state budget financing to such account is prohibited.

5. A statement of intent to exercise the right to receive state funding for statutory activities must be submitted by a political party no later than January 10 of the year following the year of the regular or pre-term elections of the Members of Parliament of Ukraine. In this case, the financing of a political party begins on January 1 of the year following the year of the relevant elections. If the application for the intention to exercise the right to receive state funding for statutory activities was submitted in violation of these deadlines, the funding of a political party begins on January 1 of the year following the year of submission of such application.

6. A political party that has not submitted an application for the intention to exercise the right to receive state funding for its statutory activities before January 10 of the year in which the next regular or pre-term elections of the Members of Parliament of Ukraine are to be held shall be deemed not to have exercised its right to receive such state funding.

7. A political party may refuse from state funding of its statutory activities by applying to the National Agency on Corruption Prevention.

The request of a political party to refuse to receive funds for state funding of its statutory activities shall be approved by a decision of the congress (meeting, conference) of the political party.

**Article 39.** Decision on providing a political party the state funding for its statutory activities or refusal thereof

1. On the day of official publication of the results of regular or pre-term elections of the Members of Parliament of Ukraine, the Central Election Commission shall send a copy of the minutes of the Central Election Commission on the results of regular or pre-term elections of the Members of Parliament of Ukraine in the national multi-member constituency to the National Agency on Corruption Prevention and the central executive body responsible for the development of the state's financial policy.

2. The decision to provide a political party with state funding for statutory activities or to refuse to provide such funding shall be made by the National Agency on Corruption Prevention within 10 calendar days from the date of receipt of the relevant application from the political party.

3. A decision to refuse to provide a political party with state funding for statutory activities shall be made if such a political party has not acquired the right to receive such state funding in accordance with this Law, as well as if there exist circumstances that terminate state funding for a political party. The decision to refuse to provide a political party with state funding for its statutory activities must be substantiated and contain a reference to the relevant provisions of this Law. The decision to refuse to provide a political party with state funding for statutory activities may be appealed by the political party to the court under the procedure and within the time limits established by the Code of Administrative Procedure of Ukraine.

4. The decision to provide a political party with state funding for its statutory activities based on the results of elections of the Members of Parliament of Ukraine shall be made in respect of each specific political party only once. Subsequently, the National Agency on Corruption Prevention annually decides on the distribution of state funding for the statutory activities of political parties and ensures the transfer of funds.

**Article 40.** Annual amount of the state funding of the statutory activities of political parties

1. The annual amount of state funding for the statutory activities of political parties that are entitled to such funding under this Law shall be 0.02 of the subsistence level for able-bodied persons established on January 1 of the year preceding the year of allocation of state budget funds multiplied by the total number of voters who took part in voting in the national multi-member constituency in the last regular or pre-term elections of the Members of Parliament of Ukraine.

2. The total number of voters who took part in voting in a national multi-member constituency shall be determined on the basis of the minutes of the Central Election Commission on the results of the last regular or pre-term elections of the Members of Parliament of Ukraine in the national multi-member constituency.

**Article 41.** Distribution of the state funding of statutory activities of political parties

1. Funds allocated from the state budget to finance political parties shall be distributed among political parties in the following order:

1) 10 percent of the annual amount of state funding for the statutory activities of political parties is distributed equally among political parties that have acquired the right to such funding under this Law, if based on the results of the last regular or pre-term elections of the Members of Parliament of Ukraine the number of representatives of one gender among the MPs of Ukraine elected from the respective political parties does not exceed two thirds of the total number of MPs of Ukraine elected from this political party;

2) 20 percent of the annual amount of state funding for the statutory activities of political parties is distributed equally among all political parties that have received the right to such funding in accordance with this Law;

3) 70 percent of the annual amount of state funding for the statutory activities of political parties is distributed among political parties eligible for such funding in accordance with this Law, in proportion to the number of valid votes cast for lists of candidates for MPs of Ukraine from such political parties in the national multi-member constituency in the elections of the Members of Parliament of Ukraine.

2. In deciding whether a political party meets the requirements of paragraph 1 of part one of this article, the ratio of men and women among the MPs of Ukraine elected from the political party, as of the opening of the first session of the newly elected Verkhovna Rada of Ukraine is considered. In the future, it does not matter for the implementation of the right of a political party, provided for in paragraph 1 of part one of this article, whether such a ratio of the persons of the same gender among representatives of a political party in the Verkhovna Rada of Ukraine has been maintained (due to loss of MP status, change of party affiliation, etc.).

3. If none of the political parties that has received the right to state funding of its statutory activities in accordance with this Law meets the requirements of paragraph 1 of part one of this article, the relevant funds from the state budget shall not be allocated.

3. The decision on the distribution of state funding for the statutory activities of political parties is made by the National Agency on Corruption Prevention at the beginning of each year. Such decision should list all political parties that will receive state funding for statutory activities in the current year and calculate the amount of annual state funding for each such political party.

**Article 42.** Transfer of the state funds for the statutory activities of political parties to the recipient parties

1. The National Agency on Corruption Prevention shall ensure the annual transfer of funds allocated from the state budget to finance the statutory activities of political parties. Such funds shall be transferred to separate accounts of political parties for receiving and using such state funding in the amount of 50 percent of the total annual state funding for each political party at the beginning of each half-year, but not earlier than the day specified in part two of this article.

2. The National Agency on Corruption Prevention shall annually transfer the state funds for the statutory activities of a political party exclusively on the basis of the results of verification of the report on property, incomes, expenditures and financial liabilities submitted by the political party for the half-year preceding the half-year in which the funds are transferred and subject to the submission by the political party of a report on property, income, expenses and financial liabilities for the half-year preceding the transfer of state funding for its statutory activities.

3. State funds for statutory activities may not be transferred to those political parties in respect of which a decision to suspend or terminate public funding has been made.

4. The year of holding regular or pre-term elections of the Members of Parliament of Ukraine is the last year in which the funds of state financing of political parties are transferred based on the results of previous elections of the Members of Parliament of Ukraine.

**Article 43.** Transfer of the state funds of the statutory activities to the local party organizations

1. A political party may transfer the state funds of its statutory activities to its party organizations only if they have separate accounts for receiving and using the funds of such state funding.

Receiving to such accounts other funds than the state funds of the statutory activities of a political party is prohibited.

2. All rules and restrictions determined by this Law on the rules of use of these funds shall apply to the organization of the party that has received the state funds for its statutory activities at its own account.

**Article 44.** Use of the state funds

1. The introduction of state funding of political parties in Ukraine is aimed at reducing the level of financial dependence of political parties on certain individuals or legal entities and preventing the loss of interest of citizens in the national political life.

2. Political parties at their own discretion choose the directions and amounts of use of the state funding, but the priority areas for the use of the state funding are:

1) building the capacity of political parties to participate effectively in the policy formation and implementation at the national, regional and local levels, which includes a thorough analysis of the current situation in a particular sphere of public life and development of optimal solutions to all problems identified by such analysis (training and professional development of members of a political party, payment for legal, political, economic, sociological and other research by scientific, expert and other institutions, payment for services of certain qualified specialists, creation of own full-time analytical centers operating within the political party structure, etc.);

2) improving the quality of communication and outreach of a political party with its voters (organization and holding of thematic meetings to discuss specific problems and prospects for their solution, holding broad communication events in the form of public discussions, conferences, round tables or forums, preparation, design, publication and dissemination of communication materials covering the current activities of the political party, plans for the future, etc.);

3) fostering women's interest in political life in the country, as well as women's involvement in politics (educational campaigns and public events, dissemination of information about the activities of a political party among women, studying, summarizing and reflecting the issues of concern to women and activities to address these issues in the political party program, etc.), increasing the representation of women among members of a political party and in the governing bodies of a political party, etc.) in order to ensure equal representation of political, economic, social, cultural and other interests of women and men;

4) strengthening the organizational capacity of a political party (formation of an effective apparatus of a political party, development of a network of structural entities at the regional and local levels, introduction of positions of specialists in various fields, etc.);

5) support for the effective functioning of parliamentary factions (general financial support for the functioning, financing of public events, payment for expert support of the faction, etc.).

3. Political parties are prohibited from using public funds for their statutory activities with the following purposes:

1) financing of illegal activities of a political party or any individual or legal entity;

2) financing of activities that are not provided for or are explicitly prohibited by the charter of a political party;

3) payment for advertising services of political parties (including services related to the production and distribution of political advertising or any other information aimed at promoting a political party, its ideology, leaders, etc.), directly or indirectly, including through the mediation services of third parties or payment in any other way;

4) acquisition of immovable property;

5) acquisition of movable property (in particular, vehicles), securities and intangible assets, if their value exceeds fifty times the subsistence level for able-bodied persons, established on January 1 of the year in which the acquisition of such property takes place;

6) repayment of any debt that a political party had made before the day of the elections of the Members of Parliament of Ukraine, as a result of which the political party received state funding.

4. A political party is obliged to use at least 5% of state funding for the implementation of activities identified as priority areas in part two of Article 44 of this Law.



5. Political parties shall not be subject to the restrictions stipulated by the type of economic classification of budget expenditures specified in the Law on the State Budget. The use of public funds by political parties is regulated exclusively by this Law.

**Article 45.** Return of unused state funding for statutory activities

1. A political party receives state funding for its statutory activities for the current calendar year.
2. If at the end of the calendar year the amount of state funding for statutory activities unused by a political party does not exceed 10% of the total amount of state funding of its statutory activities provided to such party in the relevant year, these funds may continue to be used by the political party according to the procedure defined by law.
3. If at the end of the calendar year the amount of state funding for its statutory activities unused by a political party exceeds 10% of the amount provided to such party through state funding of its statutory activities in the relevant year, then within 10 calendar days such political party must transfer the proportion of unused state funding for its statutory activities which exceeds 10% of annual volume of its state funding to the state budget.

**Article 46.** Suspension of the state funding for the statutory activities of a political party

1. The grounds for suspending the state funding for the statutory activities of a political party are as follows:
  - 1) failure of a political party to submit a report on property, income, expenses and financial liabilities within the period established by this Law;
  - 2) submission by a political party of a report on property, income, expenses and financial liabilities, which contains unreliable information on property, intangible assets, income, expenses or financial liabilities in excess of fifty subsistence minimums for able-bodied persons established on January 1 of the relevant calendar year;
  - 3) failure of the political party to conduct an external independent audit of financial reporting and/or failure to submit to the National Agency on Corruption Prevention a report on such audit;
  - 4) failure to comply with the requirements of this Law regarding the return of unused state funding.
2. The decision to suspend state funding of the statutory activities of a political party shall be made by the National Agency on Corruption Prevention within 10 calendar days from the day of detection of any of the circumstances specified in part one of this article.
3. The decision of the National Agency on Corruption Prevention to suspend state funding of statutory activities shall be sent by registered letter to the relevant political party within 3 working days from the date of such decision or delivered to its authorized representative and shall take effect upon receipt of such decision by the political party or its representative.
4. While the decision of the National Agency on Corruption Prevention to suspend state funding of a political party and all its structural units remains valid, the party is prohibited to use state funds for its statutory activities, and the National Agency on Corruption Prevention is prohibited to transfer other state funds to such parties for the funding of their statutory activities.
5. The decision of the National Agency on Corruption Prevention to suspend state funding of the statutory activities of a political party may be appealed by the party in court under the procedure and within the time limits established by the Code of Administrative Procedure of Ukraine.
6. If a political party eliminates the reasons that caused the suspension of state funding of its statutory activities within 30 calendar days, the National Agency on Corruption Prevention shall no later than five working days after receiving the political party report on its property, income, expenses and financial liabilities with the corrected shortcomings, which is confirmed, if necessary, by the relevant primary documents, is obliged to decide to resume of state funding of the statutory activities of the relevant political party.
7. Funds not received by a political party as a result of suspension of state funding of its statutory activities shall not be transferred to the political party and shall be returned to the

state budget by the National Agency on Corruption Prevention not earlier than six months after the decision to suspend state funding of a political party's statutory activities.

**Article 47.** Termination of state funding of the political party's statutory activities

1. The grounds for termination of state funding of the statutory activities of a political party are as follows:

- 1) submission by a political party to the National Agency on Corruption Prevention of a request for refusal to receive state funding;
- 2) failure of the political party to eliminate the reasons that led to the suspension of its state funding within 30 calendar days;
- 3) use by a political party of the state funding of its statutory activities in violation of the decision to suspend such state financing of a political party;
- 4) reorganization (except for merger and accession to other political parties) or liquidation (self-dissolution) of a political party;
- 5) a ban on the activities of a political party in the manner prescribed by law;
- 6) cancellation of the registration certificate of a political party in accordance with the procedure established by law;
- 7) imposition of the criminal law actions provided by the Criminal Code of Ukraine to a political party, in accordance with the procedure established by law;
- 8) violation by a political party of the requirements of part three of Article 44 of this Law.

2. The circumstances provided for in paragraphs 1 to 3 of part one of this Article shall be established by the National Agency on Corruption Prevention.

3. The circumstances provided for in paragraphs 5-8 of part one of this Article shall be established by a court decision that has entered into force.

4. The circumstances provided for in paragraph 4 of part one of this Article shall be established by the Ministry of Justice of Ukraine.

5. A public authority that has established the existence of the circumstances provided for in paragraphs four to eight of part one of this Article shall send a certified copy of the document establishing the existence of such circumstances to the National Agency on Corruption Prevention within five days since the day when such circumstances were established.

6. In case of establishing any of the circumstances specified in part one of this article, the National Agency on Corruption Prevention shall, within 10 calendar days, make a decision to terminate state funding of the statutory activities of a political party. The decision of the National Agency on Corruption Prevention to terminate state funding of the statutory activities of a political party shall be sent to the political party by registered mail within 3 working days from the date of such decision or handed to its authorized representative.

7. From the date of receipt by a political party of a decision of the National Agency on Corruption Prevention to terminate state funding of its statutory activities, a political party and all its structural entities shall be prohibited from using such state funding, and the National Agency on Corruption Prevention is prohibited to transfer any other state funding for their statutory activities to these parties.

8. The National Agency on Corruption Prevention has the right to apply to the court to seize the state funds for the statutory activities of a political party, if it possesses information that the political party continues to use these funds contrary to the decision to terminate public funding.

9. All funds of state funding of the statutory activities of a political party, which are in separate accounts of a political party (party organization), opened for receiving and use of such state funding, must be transferred (returned) to the state budget within 10 calendar days from the date of receipt by the political party of the decision of the National Agency on Corruption Prevention to terminate state funding of its statutory activities.

10. A political party in respect of which a decision has been made to terminate state funding of its statutory activities shall permanently lose the right to receive such state funding. In the future, state funding of the statutory activities of such a political party is possible only based on the results of the next regular or pre-term elections of the Members of Parliament of Ukraine.

11. In case of reorganization of a political party, which has the right to state funding of its statutory activities in accordance with this Law, by merging or joining other political parties,

the successor political party receives the right to state funding of its statutory activities within the funds allocated from the state budget to finance a political party that has ceased its activities by merging or joining other political parties.

## **Section VII. REPORTING OF POLITICAL PARTIES**

### **Article 48.** Forms of reporting of political parties

1. A political party, its local organizations that have acquired the status of a legal entity, are obliged to:

- 1) keep accounting, prepare and submit financial reports according to the procedure defined by the legislation of Ukraine on accounting and financial reporting;
- 2) report on property, income, expenses and financial liabilities according to the procedure defined by this Law.

### **Article 49.** Reporting of political parties on the property, income, expenses and financial liabilities

1. A political party is obliged to submit to the National Agency on Corruption Prevention a report of the political party on property, income, expenditures and financial liabilities by entering the relevant information in the Unified State Register of Reporting of Political Parties on Property, Income, Expenditures and Financial Liabilities.

The report of a political party on property, income, expenses and financial liabilities shall be submitted no later than on the fortieth day after the end of the calendar half-year.

If a political party identifies the instances of incomplete or inaccurate information in the submitted report on property, income, expenses and financial liabilities, the political party has the right to generate once more and submit a corrected report on property, income, expenses and financial liabilities in full within the total period specified for its submission.

2. The procedure for forming and submitting a report of a political party on property, income, expenses and financial liabilities shall be approved by the National Agency on Corruption Prevention, taking into account the requirements of this Law.

3. The report of a political party on property, income, expenses and financial liabilities must contain the following sections:

1) "Property and intangible assets", which must provide complete and accurate information about:

- funds on all accounts of a political party (party organizations), including the accounts of election funds and accounts for receiving and using funds for state funding of statutory activities;
- securities owned by the party on the basis of the right of ownership and property rights to them;
- immovable property owned by a political party (party organizations) on the basis of the right of ownership;
- immovable property used by a political party (party organizations);
- vehicles owned by a political party (party organizations) on the basis of the right of ownership;
- vehicles used by a political party (party organizations);
- other movable property which is owned by a political party (party organizations) on the basis of the right of ownership, and its value exceeds fifty subsistence minimums for able-bodied persons, established on January 1 of the reporting year;
- intangible assets of a political party (party organizations);

2) "Donations and other income", which must provide complete and accurate information about:

- monetary donations received on the accounts of a political party (party organizations) during the reporting half-year, including the accounts of election funds;
- property donations received by a political party (party organization) during the reporting semester from individuals and legal entities;

- donations in form of works or services received by a political party (party organization) during the reporting half-year;
- donations in form of intangible assets received by a political party (party organization) during the reporting half-year;
- donations in form of preferences, privileges or other intangible benefits received by a political party (party organization) during the reporting half-year;
- donations in form of financing of events or activities for the benefit of a political party (party organizations);
- funds received during the reporting half-year within the framework of state funding of the statutory activities of a political party (if a political party receives such funds);
- revenues received by a political party (party organization) during the reporting half-year which are not donations to a political party;
- funds received on the accounts of a political party (party organizations) during the reporting half-year which are neither monetary donations to a political party, nor its income;
- property or intangible assets received by a political party (party organization) which are not donations to a political party, if the value of such property or intangible assets exceeds five times the subsistence level for able-bodied persons, established on January 1 of the reporting year;

3) "Payments and other expenses", which must provide complete and accurate information about:

- payments from a separate account opened for receiving and using funds from the state budget, election fund accounts and all other accounts of a political party (party organizations) (for each category of accounts the information is summarized separately);
- return of monetary donations (or parts thereof) and funds received by error;
- return of property donations, donations in form of works, services and intangible assets, donations made by financing events or activities in favor of a political party;
- return to the State Budget of Ukraine of the unused part of the funds allocated for financing the statutory activities of a political party;
- transfer to the State Budget of Ukraine of the donations that cannot be returned to the persons who made them;

4) "Financial liabilities", which should provide complete and accurate information about all financial liabilities of a political party (party organizations).

4. Information about an individual in the report of a political party on property, income, expenses and financial liabilities shall be reflected with the following details: surname, name, patronymic (if any), registration number of the taxpayer's account card or series and passport number (for persons who, due to their religious beliefs, refused to obtain the registration number of the taxpayer's account card and notified the relevant supervisory authority and have a respective mark in the passport), place of residence.

5. Information about a legal entity in the report of a political party on property, income, expenses and financial liabilities is reflected with the following details: name, identification code, location.

6. All information in the report of a political party on property, income, expenses and financial liabilities must be differentiated by whether it relates to a political party (as a separate legal entity) or all other local party organizations that have duly acquired the legal entity status. In this case, information concerning party organizations that have acquired the legal entity status in accordance with the established procedure shall be entered for each such organization in a separate appendix.

7. The information on property in the report of a political party on property, income, expenses and financial liabilities should be differentiated by whether such property belongs to a political party (party organizations) on the basis of right of ownership or they only use it.

8. Information about cash flow on the account opened for receiving and use of funds from the state budget, as well as on election fund accounts (both to the extent of incomes and of expenditures) is provided and summarized separately.

9. Copies (photocopies) of documents confirming the information reflected in the report (in particular, bank certificates about cash flow on accounts) should be attached to every report of a political party on the property, income, expenditures and financial liabilities, by uploading

them to the Unified State Register of Reports of Political Parties on Property, Income, Expenses and Financial Liabilities.

The report of the political party on the property, income, expenses and financial liabilities for the second calendar half-year of the reporting year shall be accompanied by a copy (photocopy) or the original copy of the report on the annual independent external audit of the political party's financial reporting (where such audit is obligatory under this Law).

10. Copies of documents confirming the information reflected in the report on property, income, expenses and financial liabilities shall be provided by the political party upon a written request of the National Agency on Corruption Prevention within 10 working days after receipt of the request.

11. Responsibility for submitting a report of a political party on property, income, expenses and financial liabilities, as well as all annexes to it, which are an integral part of the report of a political party on property, income, expenses and financial liabilities, shall be borne by the head of the political party, or a person who is duly entrusted with the official duties of submitting such a report.

The head or other authorized official of the party organization having the legal entity status, with regard to which incomplete or inaccurate information is revealed, shall bear responsibility for the completeness and accuracy of information reflected in the report of a political party on the property, income, expenses and financial liabilities.

**Article 50.** Notice on receiving monetary donations on current accounts of a political party (party organization)

1. A political party (party organization) is obliged to submit to the National Agency on Corruption Prevention a notification on the receipt of monetary donations to the current accounts of a political party (party organization) by entering the relevant information in the electronic form of notification in the Unified State Register of Political Parties Reporting on the Property, Income, Expenses and Financial Liabilities. This notification shall be submitted no later than the fifteenth calendar day from the date of receipt by the political party (party organization) of the monetary donation(s).

2. Notification of receipt of monetary donations to the current accounts of a political party (party organization) must contain information required by law to further complete the relevant section of the report of the political party on property, income, expenses and financial liabilities.

**Article 51.** The Unified State Register of Political Parties Reporting on the Property, Income, Expenses and Financial Liabilities

1. Reports of political parties on property, incomes, expenditures and financial liabilities and notifications on receiving of monetary donations to the current accounts of a political party (party organization) are formed and submitted directly to the Unified State Register of Political Parties Reporting on Property, Income, Expenditures and Financial Liabilities.

2. The report of a political party on property, income, expenses and financial liabilities formed in the Unified State Register of Political Parties Reporting on Property, Income, Expenditures and Financial Liabilities, and also the notice on receipt of monetary donations to current accounts of a political party (party organization), shall be signed by the head of the political party, or a duly authorized person, by imposing a personal qualified electronic signature.

If a report of a political party on property, income, expenses and financial liabilities, as well as notification of receipt of monetary donations to the current accounts of a political party (party organization) are signed by a person who did not have the appropriate authority, such report of a political party on property, incomes, expenses and financial liabilities or such notice of receipt of monetary donations to the current accounts of a political party (party organization) shall be deemed not submitted and the information included in it may not be accepted for further consideration and processing.

3. The Unified State Register of Political Parties Reporting on Property, Income, Expenses and Financial Liabilities allows to form electronic documents (letters, inquiries, notifications, etc.) and organize their exchange between a political party and the National Agency through an electronic cabinet, and the documents are considered classified service documents if signed by applying a qualified electronic signature.

4. The National Agency on Corruption Prevention shall provide open all-day access to the public part of the Unified State Register of Political Parties Reporting on Property, Incomes, Expenditures and Financial Liabilities through the official website of the Unified State Register of Political Parties Reporting on Property, Incomes, Expenditures and Financial Liabilities, or through a relevant link posted on the official website of the National Agency on Corruption Prevention.

The Unified State Register of Political Parties Reporting on Property, Incomes, Expenditures and Financial Liabilities enables to view, copy and print information, as well as in the form of a data set (electronic document) organized in a format that allows it automated processing by electronic means (machine reading) for reuse.

5. The information specified in the reports or notifications on the registration number of the taxpayer's account card or series and passport number of a citizen of Ukraine, place of residence of an individual (except oblast, district, city, urban-type settlement, village) constitutes a restricted information and is not subject to display in the public domain.

6. The report of a political party on property, incomes, expenditures and financial liabilities, as well as notifications on receipt of monetary donations to the current accounts of a political party (party organization) shall be made publicly available in the Unified State Register of Political Parties Reporting on Property, Incomes, Expenditures and Financial Liabilities for at least ten years from the date of submission.

**Article 52.** Monitoring of activities and verification of reporting of the political parties on the property, incomes, expenses and financial liabilities

1. Monitoring is a system of continuous inspection of financial, economic and other activities of political parties in order to identify risks that may affect the accuracy and completeness of information reflected in reports on property, incomes, expenditures and liabilities of a financial nature carried out by the National Agency on the Prevention of Corruption on a continuous basis.

Within the framework of their activities monitoring, political parties, enterprises, institutions and organizations, regardless of the form of ownership, are required to provide documents and information on financial, economic and other activities of political parties at the written request of the National Agency on Corruption Prevention within 10 working days of the receipt of the request.

The procedure for monitoring financial, economic and other activities of political parties is approved by the National Agency on Corruption Prevention.

2. Within 10 calendar days from the date of expiration of the deadline for political parties to submit reports on property, incomes, expenditures and financial liabilities, the National Agency on Corruption Prevention shall publish on its official website a list of political parties that have not submitted their reports within the deadline defined by part one of Article 49 of this Law, and ensure holding of the guilty persons to liability provided by law, in the manner and under the procedure prescribed by law.

3. Reports of political parties on property, incomes, expenditures and financial liabilities (including those submitted in violation of the term specified in part one of Article 49 of this Law) shall be verified by the National Agency on Corruption Prevention within a period not exceeding 120 calendar days from the date of expiration of the deadline for submission of such reports by political parties.

4. Verification of reports of political parties on property, incomes, expenses and financial liabilities includes the analysis of:

1) timeliness of submission of a report by a political party on property, incomes, expenses and financial liabilities. A report of a political party on property, incomes, expenses and financial liabilities shall be deemed to have been submitted late if it was submitted in violation of the term specified in part one of Article 49 of this Law;

2) the completeness of the information provided in the report of the political party on the property, incomes, expenses and financial liabilities. A report of a political party on property, income, expenses and financial liabilities is considered to contain incomplete information if it does not contain all the information specified in part three of Article 49 of this Law, or it is not accompanied by documents specified in parts 9-10 of Article 49 of this Law;

3) the accuracy of the information provided in the report of the political party on the property, incomes, expenses and financial liabilities. A report of a political party on property, income, expenses and financial liabilities of a nature is considered to contain inaccurate information if the information provided in it is not true or the documents attached to it are forged or contain inaccurate information;

4) compliance by a political party with the requirements for opening a bank account (Article 17 of this Law);

5) compliance by a political party with the requirements for receiving, keeping and using funds exclusively in non-cash form (part three of Article 17 of this Law);

6) the legality of making donations by individuals and legal entities in favor of a political party. A donation in favor of a political party is considered to be made unlawfully if it is made by an individual or a legal entity specified in part one of Article 36 of this Law, if the amount of such donation exceeds the limits set by parts two to three of Article 36 of this Law, if a donation made in cash form, if the amount of the donation is incorrectly determined or the donation is made with other violations of the procedures specified in Articles 29 – 35 of this Law;

7) legality of receiving by a political party of all types of donations and other income;

8) observance by a political party of the requirements of this Law in case of receiving a donation made by an individual or legal entity in violation of the law (in particular, in case of receiving a donation from a person not entitled to make such donation or exceeding the limits set by this Law) (Article 36 of this Law);

9) compliance by a political party with the requirements of the legislation on undergoing an external independent audit of financial reporting (Article 54 of this Law).

4. Based on the results of verification of reports of political parties on property, incomes, expenditures and financial liabilities, the authorized person of the National Agency on Corruption Prevention shall draw up a conclusion reflecting:

1) general information about the political party, reporting period, etc.;

2) the results of the analysis (for each of the items listed in part three of this article);

3) a detailed description of all violations identified during the analysis of the political party's report on property, income, expenses and financial liabilities and verification of information included in the notification of receiving of monetary donations to the current accounts of the political party (party organization), an indication of the norms that have been violated by a political party or other individuals or legal entities;

4) a general opinion on compliance with the requirements of the law by a political party, its leader or authorized persons, as well as individuals and legal entities that have made donations in its favor, as well as the qualification of offenses committed by them (if detected).

5. The procedure for verifying the reports of political parties on property, incomes, expenditures and financial liabilities, as well as the template of the conclusion upon the results of such verification, shall be approved by the National Agency on Corruption Prevention.

6. Conclusions prepared as a result of verification of the reports of political parties on assets, incomes, expenditures and financial liabilities shall be published on the official website of the National Agency on Corruption Prevention within the general period specified in part three of this article. At the same time, information with restricted access is removed from them, and personal data shall be depersonalized.

7. If in course of verification of the report of a political party on property, income, expenses and financial liabilities or during verification of information on violations of legislation in the field of financing of political parties or electoral campaigns, the elements of violation of the law are identified, which entail administrative, criminal or other liability provided by law, the National Agency on Corruption Prevention within five days from the date of detection of the relevant elements notifies in writing the bodies (officials) authorized to ensure the prosecution of the offenders, and sends the materials confirming the fact of the offense to the relevant authorities (officials), or ensures that the relevant persons are held to such liability within its powers, as well as publishes information about it on its official website.

**Article 53.** Verification of information included in the notice on receiving of monetary donations to current accounts of a political party (party organization)

1. The information included in the notification on receiving monetary donations to the current accounts of a political party (party organization) shall be verified by the National Agency on Corruption Prevention within a period not exceeding 40 calendar days from the date of submission.

Verification of the information included in the notification on receiving monetary donations to the current accounts of a political party (party organization) includes an analysis of:

2. Verification of information on the receipt of monetary donations to the current accounts of a political party (party organization) includes an analysis of:

1) timeliness of submission of notification on receipt of monetary donations to the current accounts of a political party (party organization);

2) the legality of making monetary donations by individuals and legal entities in favor of a political party (party organization).

3) the legality of receiving monetary donations by the political party (party organization);

4) observance by a political party of the requirements of this Law in the event of receiving a monetary donation made by a natural or legal person in violation of the requirements of the legislation.

3. The procedure for verifying the information included in the notification on receiving monetary donations to the current accounts of a political party (party organization) shall be approved by the National Agency on Corruption Prevention.

4. If verification of information included in the notification on receiving of monetary donations to the current accounts of a political party (party organization) reveals signs of violation of the law, which entail administrative, criminal or other liability, the National Agency on Corruption Prevention shall within five days from the date of detection of the relevant elements inform in writing the bodies (officials) authorized to ensure the prosecution of persons who have violated the law, and send materials that confirm the fact of committing the offense to the relevant bodies (officials), or ensure that the guilty persons are held to the liability within the limits of its authority, as well as publish information about it on its official website.

#### **Article 54.** External independent audit of financial reporting of a political party

1. A political party that has received public funding is required to undergo an external independent audit of financial reporting in the year following the year of receiving of government funding.

2. External independent audit of the financial reporting of a political party may be conducted only by audit firms authorized to conduct a mandatory audit of financial reporting in accordance with the Law of Ukraine "On Audits of Financial Reporting and Audit Activities".

3. During the external independent audit of the financial reporting of a political party, the accounting data and indicators of the financial reporting contained in the following reporting documents must be inspected:

1) financial reports submitted by a political party under the procedure envisaged by the legislation of Ukraine on accounting and financial reporting (in terms of completeness, reliability and compliance with the requirements of national regulations (standards) of accounting);

2) reporting on property, incomes, expenses and financial liabilities (in terms of completeness, reliability and compliance with the requirements for such reporting by law).

4. Political parties (party organizations) are obliged to provide the audit firm conducting an external independent audit of financial reporting with all the information and documents necessary to conduct such an audit.

5. A political party may conclude an agreement on conducting an external independent audit of financial reporting with the same audit firm for no more than for three consecutive years.

6. The procedure for engaging an audit firm to conduct an external independent audit of financial reporting is determined by the charter of the political party.

### **Section VIII.**

#### **STATE CONTROL OVER THE POLITICAL PARTIES ACTIVITIES AND FINANCING**

#### **Article 55.** Bodies of state control over the activities of political parties

1. State control over the activities of political parties is exercised by:



- 1) Ministry of Justice of Ukraine, its territorial bodies – over compliance with the requirements of the Constitution and laws of Ukraine, as well as the charter of a political party, except when such control is assigned to the powers of other public authorities by law;
- 2) Central Election Commission, district election commissions, territorial election commissions in the relevant elections – over observance by political parties of the established procedure for participation in the election process, as well as, within the powers defined by law, for the functioning of campaign accounts of the election process in the relevant elections; on the timeliness of submission of interim and final financial reports on the receipt and use of funds from election accounts to the relevant election commissions, their compliance with the established requirements, the accuracy of the information included in them;
- 3) National Agency on Corruption Prevention – over the timeliness of submission by political parties of reports on property, incomes, expenditures and financial liabilities, as well as the completeness and accuracy of the information provided in such reports; compliance by a political party with the requirements for opening a bank account, as well as for receiving, keeping and using funds by political parties exclusively in non-cash form; legality of making donations by individuals and legal entities in favor of political parties; the right of political parties to receive all types of donations and other income; observance by political parties of the requirements of this Law in case of receiving a donation made by an individual or a legal entity in violation of the law; compliance by political parties with the requirements of the legislation on external independent audit of financial reporting; legal and permissible use by political parties of funds allocated from the state budget to finance their statutory activities; observance by the subjects of the election process at the relevant elections of the requirements for opening the campaign accounts; for observance of the restrictions established by the law on financing of campaigning, referendum campaigning, and also, within the powers defined by the law, for functioning of campaign accounts of subjects of electoral process at the corresponding elections and timeliness of submission of reports on receipt and use of funds from campaign accounts at national and local elections, the completeness of such reports, the compliance of their template with the established requirements, the accuracy of the information included in them.

**Article 56.** State control over the use by political parties of state funds for the statutory activities

1. State control over the use by political parties of state funding of their statutory activities in accordance with the requirements of this Law shall be exercised by the National Agency on Corruption Prevention, in particular by analyzing:

- 1) reports of the political party on property, income, expenses and financial liabilities and documents attached to them;
- 2) reports on external independent audit of financial reporting of a political party.

2. If the facts that indicate that state funds were used by a political party in violation of the requirements of this Law are revealed, the National Agency on Corruption Prevention shall apply to the court for recognition of the political party's activities as contradicting to the requirements of part three of Article 44 of this Law in accordance with the Code of Administrative Procedure of Ukraine.

3. State control over the activities of the National Agency on Corruption Prevention as a manager of funds allocated from the state budget to finance political parties is exercised by the Accounting Chamber during an audit conducted every two years on the basis of the Law of Ukraine "On Prevention of Corruption".

**Article 57.** Actions applicable to political parties

1. If political parties violate the Constitution of Ukraine, this and other laws of Ukraine, the following measures may be applied to them:

- 1) issuing an order to a political party to eliminate violations of the law;
- 2) issuing an order to prevent a political party from engaging in illegal activities;
- 3) suspension of state funding of a political party;
- 4) termination of state funding of a political party;
- 5) ban on a political party;

- 6) cancellation of registration of a political party.
2. If the actions (or omissions) committed by a political party do not entail another type of liability, the relevant controlling bodies shall issue an order to the political party to eliminate violations of the requirements of the legislation.
3. In the event of a public announcement by the governing bodies of a political party of the intention of a political party to commit acts entailing legal liability under the laws of Ukraine, the relevant bodies in charge of controlling the activities of political parties shall issue an order to prevent a political party from engaging in illegal activities.
4. Suspension or termination of state funding of the statutory activities of a political party shall be carried out in accordance with the procedure established by this Law.
5. Political parties, structural units of political parties shall bear the responsibility provided by this and other laws of Ukraine for violation of the legislation.
6. Political parties and their structural units are obliged to submit the necessary documents and explanations at the request of the controlling bodies. Decisions of regulatory authorities may be appealed in the manner prescribed by law.

## **SECTION IX TERMINATION OF ACTIVITIES OF POLITICAL PARTIES**

### **Article 58.** Termination of a political party activity

1. Political parties shall terminate their activities by liquidation or reorganization in accordance with the charter of a political party or in case of banning of its activity or cancellation of registration in accordance with the procedure established by this and other laws of Ukraine.
2. The head of the authorized body of a political party or a person who, according to the information entered in the Unified State Register, has the right to perform legal actions on behalf of a political party without a power of attorney shall submit an application and documents for amendments to the Unified State Register in case of a party liquidation or reorganization.

### **Article 59.** Liquidation of a political party

1. The decision on liquidation of a political party (self-dissolution) is made by the congress (meeting, conference) of the political party in accordance with the charter of the political party. Simultaneously with the adoption of such a decision, the congress (meeting, conference) of the political party decides on the use of property and funds of the political party for charter or charitable purposes.
2. A political party shall submit an application for making an entry in the Unified State Register on its termination in accordance with the procedure established by the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations" within 10 days of liquidation.
3. The decision to liquidate a political party may not be revoked by a political party from the date of entry in the Unified State Register.

### **Article 60.** Specifics of liquidation or reorganization of structural units of a political party

1. Structural units of a political party that have the status of a legal entity may be liquidated or reorganized:
  - 1) in the case of a decision on the liquidation (self-dissolution) of a political party;
  - 2) by a decision of the congress of a political party or by a decision of the governing body of a political party in accordance with the powers defined by the charter of the political party;
  - 3) by the decision of the congress (conference) of the relevant structural unit of the political party.

### **Article 61.** Reorganization of political parties

1. A political party may be reorganized by merger, division, accession or separation.
2. The decision on reorganization is made by the congress (meeting, conference) of the political party in accordance with the charter of the political party. Simultaneously with the adoption of such a decision, the congress (meeting, conference) of the political party decides on the distribution or transfer of property and funds of the political party.

3. The charter of a political party may stipulate the conditions under which the reorganization of a political party is permitted or prohibited.
4. In case of reorganization of a political party by merger or division, a political party that has ceased its activities by reorganization shall submit an application for making an entry on its termination in the Unified State Register in accordance with the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations", within 10 days after the decision to reorganize the political party.
5. A new political party formed as a result of reorganization and succeeding to the rights of a ceased political party shall submit an application for its registration in the Unified State Register in accordance with the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations", within 10 days after the decision to reorganize the political party. The removal of a ceased political party from the Unified State Register and the entry of a new political party that was created during the reorganization into the Unified State Register shall take place simultaneously.
6. In case of reorganization of a political party by joining, a political party that has joined another political party and has ceased its activity shall submit an application for its registration in the Unified State Register in accordance with the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations", within 10 days after the decision to reorganize the political party. A political party that continues its activities and accepts the rights and responsibilities of a ceased political party shall ensure amending the information in the Unified State Register on the political party, its structural units provided for in the party's charter, as defined by the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations", within 10 days after taking the decisions on these issues. Entries in the Unified State Register on the termination of a political party and on the establishment of a new political party shall be made simultaneously.
7. In case of reorganization of a political party by separation, the political party separating from another political party shall submit the application for state registration of its termination in accordance with the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations", within 10 days after the decision to reorganize a political party. A political party from which a political party has seceded shall ensure amending the information on the political party, its structural units provided for in the party's charter contained in the Unified State Register, in accordance with the Law of Ukraine "On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations", within 10 days after decisions on these issues. The state registration of a political party created during the reorganization and amending of the information on the political party from which the political party separated shall take place simultaneously.
8. The decision to reorganize a political party may not be revoked by a political party from the date of entry in the Unified State Register.

**Article 62. Prohibition of a political party activity**

1. The activity of a political party may be prohibited by a court decision upon a lawsuit by the Ministry of Justice of Ukraine
2. The activity of a political party may be prohibited only if there are at least one of the following grounds:
  - 1) program goals or actions of a political party are aimed at eliminating the independence of Ukraine, forcibly changing the constitutional order, violating the sovereignty and territorial integrity of the state, undermining its security, usurpation of state power, propaganda of war, violence, incitement of interethnic, racial, religious hatred, encroachment on human rights and freedoms, public health;
  - 2) financing the activities of a political party by political parties, organizations of the aggressor country, maintaining relation with which is prohibited in accordance with the decision of the Cabinet of Ministers of Ukraine;
  - 3) a political party has a paramilitary unit;
  - 4) a political party has created or operates structural units either in executive bodies, or in judicial bodies, or in executive bodies of local self-government, or in military formations or at state enterprises, educational institutions or other state institutions and organizations.

3. State authorities, which are obliged to monitor the violations provided for in part two of this Article by political parties or their individual members, are obliged to inform the Ministry of Justice of Ukraine if there is information about the threat to the national security of Ukraine.

4. Prohibition of a political party entails termination of the political party, dissolution of its governing bodies, all structural units of the political party provided by the party's charter, termination of membership in the political party, as well as decisions of the Ministry of Justice of Ukraine and its territorial bodies of the decisions to terminate the party and its structural units, respectively.

5. If the court decision on cancellation of registration of a political party does not appoint a commission for termination (liquidation commission) of a political party, its structural units having the legal entity status, the Ministry of Justice of Ukraine and its territorial bodies shall appoint the head of the governing body or a person who, according to the information entered in the Unified State Register, has the right to perform legal actions on behalf of a political party without a power of attorney as the head of the termination (liquidation) commission, unless otherwise established by court decision.

**Article 63. Cancellation of a political party registration**

1. The Ministry of Justice of Ukraine is obliged to apply to the court for revocation of the registration certificate of a political party only if there are at least one of the following grounds:

1) failure of a political party to submit to the National Agency on Corruption Prevention a report on property, incomes, expenses and financial liabilities three or more times in a row or three times during the last three reporting years;

2) failure of a political party to nominate its candidates in the elections of the President of Ukraine or elections of the Members of Parliament of Ukraine for ten years.

2. A court decision on cancellation of registration of a political party, which has entered into force, entails termination of the political party, dissolution of its governing bodies, all structural units of the political party provided by the party's charter, termination of membership in the political party and appropriate actions by the Ministry of Justice and its territorial bodies to terminate a political party and its structural units, respectively.

3. If the court decision on cancellation of a political party registration does not appoint a termination commission (liquidation commission) for a political party, its structural units having the legal entity status, the head of the governing body or a person who, according to the information entered in the Unified State Register, has the right to perform legal actions on behalf of a political party without a power of attorney shall be determined as chair of the termination commission (liquidation commission) of a political party, its structural units in the decision on termination of a political party, its structural units, unless otherwise provided by court decision.

**Section X.  
FINAL AND TRANSITION PROVISIONS**