

BOSNA I HERCEGOVINA
CENTRALNA IZBORNA KOMISIJA
SREDIŠNJE IZBORNO POVJERENSTVO



БОСНА И ХЕРЦЕГОВИНА
ЦЕНТРАЛНА ИЗБОРНА КОМИСИЈА

RULEBOOK
on annual financial statements of political parties
(Unofficial consolidated text)

Sarajevo, January 2022

Pursuant to Article 12, paragraph (4) of the Law on political party financing (Official Gazette of BiH, nos. 95/12 and 41/16), Central Election Commission of Bosnia and Herzegovina has, at the 1st session held on January 13, 2022, adopted the following

RULEBOOK
on annual financial statements of political parties
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CHAPTER I. INTRODUCTION

Article 1
(Application)

This Rulebook lays down the manner of submission of annual financial statements, contents and form of the annual financial statements, control of financial statements, which political parties are obligated to submit to the Central Election Commission of Bosnia and Herzegovina (hereinafter: the BiH Central Election Commission) and manner of public access to the information contained in the audit report and in the political parties' financial statements.

Article 2
(Scope of application)

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

CHAPTER II. MANNER OF SUBMISSION OF THE FINANCIAL STATEMENT

Article 3
(Financial statement)

(1) Political parties submit to the BiH Central Election Commission the annual financial statement for each calendar (accounting) year in electronic form through the application FI CIK BIH (hereinafter: the application). Confirmation on submission of the annual financial statement and printed forms of the financial statement in PDF format certified by the signature of an authorized person and the stamp of the political party shall be also submitted to the BiH Central Election Commission in hard copy.

¹ The unofficial consolidated text contains the Rulebook on annual financial statements of political parties (Official Gazette of BiH, No. 96/13) and the Rulebook on Amendments to the Rulebook on annual financial statements of political parties (Official Gazette of BiH, no. 89/16) – **marked in bold and italic** and the Rulebook on Amendments to the Rulebook on annual financial statements of political parties no.: 03-02-2-63-1/22 of January 13, 2022 - **marked in bold**.

This unofficial consolidated text is for internal use only and may not be referred to during official use.

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

Article 4 (Annual accounts)

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

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

Article 5 (Forms)

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

- | | |
|--|-----------|
| a) General information on political party | Form 1 |
| 1) Territorial structure of political party | Form 1-1 |
| b) Transaction account turnover of a political party | |
| 1) Overview of activities on all accounts of political party | Form 2 |
| 2) Overview of activities on imprest account | Form 2-1 |
| c) Political party's sources of funding,
with the review of sources according
to organizational parts of the party | Form 3 |
| 1) Donations by natural persons exceeding 100 KM | Form 3-a |
| 2) Donations by legal entities exceeding 100 KM | Form 3-b |
| 3) Revenues generated by the party's property | Form 3-c |
| 4) Profit of legal entities owned by the party | Form 3-d |
| 5) Non-financial donations and invoices that
party was not obligated to settle | Form 3-e |
| 6) Revenues from the budget | Form 3-f |
| 7) Revenues from publishing activities, selling
of propaganda material and organization of party rallies/events | Form 3-g |
| d) Expenditures of political party and review of expenditures
according to organization parts of the party | Form 4 |
| 1) Overhead and operating costs | Form 4.1. |
| 2) Costs of propaganda | Form 4.2. |
| e) Political party's liabilities | Form 5. |

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

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

(4) After the political party enters the data in the forms of annual financial statement in the application, it is obliged to submit to the BiH Central Election Commission a printed annual financial statement, as well as a confirmation on submission of the financial statement containing the following information: name of the political party, party code determined by the BiH Central Election Commission, the type of statement, the reporting period, the name and surname of the person who entered the data in the financial statement and the date of submission.

Article 6

(Confirmation of donation received)

(1) A political party shall issue a confirmation note to every natural and legal person (hereinafter: donor) from which it received a membership fee or a donation, and it shall contain the following information: name of the political party, serial number of the confirmation, total amount of the membership fee/donation, name and surname/name of the donor, number of an ID document/donor identification number, address and place of residence/seat of the donor, date of payment, date of issuance of the confirmation note and signature of the authorized person.

(2) The confirmation note referred to in paragraph (1) of this Article shall be issued in two (2) copies, one of which shall be given to the donor, and the other shall be retained by the political party.

(3) The BiH Central Election Commission may request that a political party submit copies of issued confirmation notes.

CHAPTER III. CONTENTS AND FORM OF POLITICAL PARTIES' ANNUAL FINANCIAL STATEMENT

Article 7

(Completing the forms)

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

(2) The financial statement at the party's level shall be presented on Forms 1, 1.1, 2, 2.1, 3, 3-f, 3-g, 4, 4.2. and 5, and for organizational parts of the party on all other Forms listed in Article 5 of this Rulebook, separately for each organizational part of the party.

Article 8

(Data)

(1) All the Forms referred to in Article 5 of this Rulebook contain an empty space in the upper right corner to record the page number:

(2) In the upper right corner of Form 1, *General Information on a Political Party*, there is a space to enter the following data:

- a) party code to be determined and entered by the BiH Central Election Commission,
- b) Name of the financial report, and
- c) Reporting period for which the form is submitted.

Article 9

(General information on political party)

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

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

Article 10

(Data on territorial structure of political party)

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

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

Article 11

(Overview of activities on all transaction accounts of a political party)

The following data shall be entered into Form 2 *Overview of activities on all transaction accounts of a political party*:

- a) Name of the organizational part of the party,
- b) Account number,
- c) Name of the bank,

- d) Account balance on January 1 for the year covered by the financial statement or if the account was opened after that date, the account balance on the day of account opening,
- e) Total inflow without initial balance (for requested year),
- f) Total outflow (for requested year) and
- g) Balance on December 31 of the year for which the report is submitted, or in case that the account was closed earlier, until the closure of the account.

Article 12
(Overview of activities on imprest account)

The following data shall be entered into the Form 2.1. *Overview of activities on imprest account*:

- a) Name of the party's organizational part,
- b) Balance of the imprest account at the beginning of the period,
- c) Total inflow,
- d) Total outflow, and
- e) Account balance at the end of the period.

Article 13
(Sources of funding)

(1) The following data shall be entered into the Form 3 *Sources of funding*:

1. Total revenues of a political party - 3.1. *Total revenues of political party*:

- a) Membership fee
 - 1) Total fee charged in KM and
 - 2) Number of members of the party who paid the fee
- b) Donations by natural persons and party members (details in Form 3-a)
 - 1) Total amount charged in KM;
- c) Donations by legal entities (details in form 3-b)
 - 1) Total amount charged in KM,
- d) Revenues generated from the political party's property (details in form 3-c)
 - 1) Total amount of revenues under this point in KM.

Revenues generated in the reporting period are entered in this point.
- e) Profit of legal entities owned by political party (details in form 3-d)
 - 1) Total amount of revenues under this point in KM;
- f) Incomes from the gifts and services that political party was not obligated to settle (details in form 3-e)
 - 1) Total amount of revenues under this point in KM;
- g) Revenues from the budget (details in form 3-f)
 - 1) Total amount of revenues under this point in KM;

- h) Revenues from publishing activities, selling of propaganda material and organization of party rallies/events (details in Form 3g)
 - 1) Total amount of revenues under this point in KM;
- a) Total incomes of the political party in KM during the reporting period for all points.

2. Other revenues and other - 3.2 Other revenues:

1) Total amount of other incomes in the reporting period in KM.

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

(3) If the political party does not have data from which the identity of the donor can be established, it will be considered that an anonymous donor donated to the party.

(4) If a political party generates revenue not covered by paragraph (1) of Article 13 of the Rulebook on annual financial statements of political parties or benefits from the activities of entities that are in any way related to or under the control of the political party, it shall report such income in Form 3.2 Other income of the financial statement.

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

Article 14

(Donations by natural persons)

The following data shall be entered into Form 3-a *Donations by natural persons*:

- a) Name of the organizational part of the party,
- b) Total amount of donations whose individual value is under 100 KM,
- c) Surname and name of the donor whose donation exceeds 100 KM, number of confirmation note referred to in Article 6 of this Rulebook, date of donation receipt and amount of the donation, and
- d) The total amount of all donations by natural persons.

Article 15

(Donations by legal entities)

The following data shall be entered into Form 3-b *Donations by legal entities*:

- a) Name of the organizational part of the party,
- b) Total amount of donations whose individual value is under 100 KM,
- c) Surname and name of the donor whose donation exceeds 100 KM, number of confirmation note referred to in Article 6 of this Rulebook, date of donation receipt and amount of the donation, and
- d) The total amount of all donations by legal entities.

Article 16
(Revenues generated from political party's property)

The following data shall be entered into Form 3-c *Revenues generated from political party's property*:

- a) Name of the organizational part of the party,
- b) Type of property generating revenue,
- c) User of political party's property,
- d) Number of contract, decision, etc. (the BiH Central Election Commission may request from the political party to deliver copies of these documents),
- e) Amount of realized revenue.

Article 17
(Profit of legal entities owned by a political party)

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

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

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

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

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

Article 19
(Revenues from the budget)

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

(2) Following data shall be entered into this Form:

- a) Name of the organizational part of the political party,
- b) Level of authority,
- c) Number and date of the decision and

d) Total amount of the revenues.

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

Article 20
(Revenues from publishing activities)

The following data shall be entered into Form 3-g *Revenues from publishing activities, selling of propaganda material and organization of party rallies*:

- a) name of the organizational party of the political party,
- b) type of revenue, as follows
 - revenues from publishing activity
 - revenues from selling of propaganda materials.
 - revenues from organization of party rallies/events
- c) amount of revenues generates.

Article 21
(Expenditures of political party)

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

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

- a) Overhead and other expenses in KM (details in Form 4.1),
- b) Costs of propaganda (details in Form 4.2) and
- c) Total expenditures in the reporting period on all bases.

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

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

Article 22
(Overhead and other expenses)

(1) The following data shall be entered into Form 4.1 *overhead and other expenses* (all expenses except the costs of propaganda):

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

(2) If a political party incurs costs from publishing activities, acquisition of propaganda material intended for sale and organization of party events, it is obliged to submit a special specification with Form 4.1 which will contain: name of organizational part of political party, amount and type of realized cost and other facts proving that the realized expense was incurred for the purpose of generating the revenues of the political party.

Article 22
(Costs of propaganda)

The following data shall be entered into Form 4.2 *Costs of propaganda*:

- a) Name of the organizational part of the political party,
- b) **type of costs as follows:**
 - 1) **costs of printing of posters and placarding,**
 - 2) **costs of advertisements in print and electronic media,**
 - 3) **costs of internet advertising,**
 - 4) **costs of organization and administration of pre-election rallies**
 - 5) **costs of printing, reproduction and delivery of pre-election material which is sent to the voters, and**
 - 6) **other costs,**

(2) The costs of printing posters and placarding shall entail the costs of making all types of posters, banners, billboards, their distribution, installation and placarding.

(3) The advertising costs in print and electronic media shall entail the costs of printing pre-election advertisements, announcements, announcements, etc. in print media and advertising costs on radio and television (advertisements, public invitations, videos and any other type of promotion).

(4) The costs of Internet advertising shall entail the costs of advertising through Internet portals, social networks (Facebook, YouTube, Instagram, Twitter, etc.), Viber, etc.

(5) The costs of organizing and holding pre-election rallies, the costs of renting space for rallies, costs of sound system, costs of transport to pre-election rallies, costs of fees for the hider participants (announcers, pop artists, actors, orchestras, cultural and artistic societies, etc.) and other costs related to the organization of the rallies/events.

(6) The costs of printing, reproducing and sending pre-election material to voters shall entail the cost of material sent to voters' addresses by mail or through activists, distributed through stands and at pre-election rallies.

(7) Other propaganda costs shall mean all costs incurred for the purpose of the election campaign, which are not classified in the previous groups, such as: entertainment and catering costs, travel costs, employment contract costs for persons engaged for the election campaign, fuel costs, etc.

Article 24
(Liabilities of political party)

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

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

- 1) Name of organizational part of the political party
- 2) Name of creditor or loaner,
- 2) Amount of credit or loan,
- 3) date of credit or loan realization,
- 4) Instalment amount and
- 5) Loan or credit payment deadline,
- 6) amount of the liability under credit or loan on a certain date

b) Total debt liabilities- 5.2 Other liabilities:

- 1) Name of organizational part of the political party
- 2) name of the trustee or liability,
- 3) date of debt incurred,
- 4) amount of liability on a certain date.

(2) In Form 5.2. *Other liabilities* are entered data on the liabilities of the political party on the following bases: outstanding liabilities to suppliers (individuals and legal entities), liabilities based on salaries and allowances, taxes, contributions and others.

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

CHAPTER IV CONTROL OF FINANCIAL REPORTS

Article 25 (Audit of financial statement)

(1) Review and control of financial statement in Article 3 of this Rulebook and audit of political party financing shall be conducted by the Service for audit of political party financing (hereinafter: Audit Service).

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

Article 26 (Audit Service)

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

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

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

Article 27
(BiH Central Election Commission)

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

(2) BiH Central Election Commission may initiate an investigation or undertake appropriate measures independently or based on a complaint filed.

Article 28
(Sanctions and administrative measures)

If political party fails to act in the manner and within the deadline set forth in Article 27, paragraph (1) of this Rulebook, the Audit Service shall recommend the BiH Central Election Commission to pronounce a sanction to the political party or to undertake appropriate administrative measure.

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

Article 29
(Audit report)

(1) Annual financial reports of political parties that were submitted to the BiH Central Election Commission shall be published on the website of the BiH Central Election Commission within 30 (thirty) days following the expiry of the deadline for submission of statements.

(2) The review and audit reports with the opinion and findings of the auditor on the financial statement and financing of the political party in accordance with the Law on Political Party Financing shall be published on the website of the BiH Central Election Commission. The statement on conducted review and audit of the financial statements of political parties is published in the Official Gazette of BiH.

CHAPTER V. FINAL PROVISIONS

Article 30
(Regulations included in this Rulebook)

This Rulebook includes the Rulebook on annual financial statements of political parties (Official Gazette of BiH, No. 96/13), the Rulebook on Amendments to the Rulebook on annual financial statements of political parties (Official Gazette of BiH, No. 89/16) and the Rulebook on Amendments to the Rulebook on annual financial statements of political parties, no. 03-02-2-63-1/22 of January 13, 2022.

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

This Rulebook shall be published on the website of the BiH Central Election Commission.

Number: 03-02-2-63-2/22
Sarajevo, January 13, 20202

President

Željko Bakalar