

181/2014 Coll.

ACT

of 29 May 2014

on election campaign and on the amendment to Act No. 85/2005 Coll. on political parties and political movements as amended

Amendment: 181/2014 Coll.
Amendment: 125/2016 Coll.
Amendment: 69/2017 Coll.
Amendment: 344/2018 Coll.

The National Council of the Slovak Republic has passed the following act:

Section I

Article 1

Subject Matter

This Act regulates the conditions of conduct and funding of election campaign for elections pursuant to a special regulation. ¹⁾

Article 2

Election Campaign

(1) For the purposes of this Act, election campaign means any activity of political party, political movement, ²⁾ coalition of political parties and political movements, candidates and third parties pursuant to Article 8, for which payment is usually made, leading to promotion of their activity, objectives and programme for purposes of obtaining a function elected pursuant to a special regulation. ¹⁾ It means the activity in favour as well as to the detriment of the entities pursuant to the first sentence.

(2) The election campaign shall begin on the day of publishing of the call of elections in the Collection of Laws of the Slovak Republic (hereinafter the "call of elections") and end 48 hours before the date of elections.

(3) The activity of entities other than listed in Paragraph 1 for the support or to the detriment of political parties, coalitions, and candidates is prohibited at the time provided for election campaign.

Article 3

Funding of Election Campaign of a Political Party in Elections to the National Council of the Slovak Republic and to the European Parliament

(1) A political party and political movement (hereinafter the "political party") may spend maximum EUR 3,000,000 inclusive of value added tax on its election campaign in elections to the National Council of the Slovak Republic and in elections to the European Parliament. The limit of costs of the political party pursuant to the first sentence shall also include the difference between the price of donation or other performance for free provided in the contract and the usual price, and the costs of promotion of the political party spent by the political party at the time beginning 180 days before the date of call of elections.

(2) To cover the costs of election campaign, the political party may use only the funds

kept on a special payment account (hereinafter the “special account”) kept in a bank or foreign bank branch (hereinafter the “bank”). The provisions of a special regulation shall apply to the funds kept on the special account. 3)

(3) The political party must open a special account for each election campaign separately.

(4) The data on the special account pursuant to Paragraph 2 must be available to third persons for free, remotely and continuously and must show the summary of payment transactions including the data on the sum, date of posting, name and surname or name of the payer and of the beneficiary, text of the accounting entry and variable symbol (hereinafter the “summary of payment transactions”). The website containing the data shall be notified by the political party in paper form or in electronic form immediately after opening the account to the Ministry of Interior of the Slovak Republic (hereinafter the “Ministry of Interior”), which will publish it at its website.

(5) Funds must be deposited on the special account solely by transfer from another account. At the request of the Ministry of Interior, the political party must prove, who is the owner of the account, from which the funds were transferred.

(6) The political party shall save the statements of the account pursuant to Paragraph 2 for five years from issuance.

(7) The political party shall keep special records for purposes of election campaign with the following structure

- a) costs of settlement of pre-election and election opinion polls,
- b) costs of settlement of paid advertising or commercials,
- c) costs of broadcasting of political commercials pursuant to a special regulation, 4)
- d) costs of settlement of election posters,
- e) costs of a business company pursuant to a special regulation, 5)
- f) travel expenses of members of the political party and the summary of reimbursement of travel expenses of employees of the political party pursuant to a special regulation, 6)
- g) the summary of non-monetary donations and other performances for free, whose value is determined pursuant to a special regulation, 7)
- h) any other costs of the political party spent on promotion of its activity, objectives and programme.

(8) A special regulation shall apply to the saving of accounting documents from the records pursuant to Paragraphs 6 and 7. 8)

(9) At the request of the Ministry of Interior, the political party shall be obliged to deliver the documents, submit information, explanation or provide other data concerning its election campaign within ten days from the delivery of the request.

Article 4 **Final Report**

(1) The political party shall be obliged to prepare a final report on costs of the election campaign for elections to the National Council of the Slovak Republic and for elections to the European Parliament (hereinafter the “final report”).

(2) The final report shall contain

- a) the summary of costs of settlement of pre-election and election opinion polls,
- b) the summary of costs of settlement of paid advertising or commercials,
- c) the summary of costs of political commercials broadcasting, 4)
- d) the summary of costs of settlement of election posters,
- e) the summary of travel expenses of members of the political party during the election campaign and the summary of reimbursement of travel expenses⁶⁾ of employees of the political party during the election campaign,
- f) the summary of any other costs of the political party spent on promotion of its activity, objectives and programme,
- g) the summary of costs of the business company⁵⁾ related to election campaign,
- h) the summary of non-monetary donations and other performances for free and their value,
- i) the summary of costs within the scope pursuant to (a) to (h) incurred by the political party at the time beginning 180 days before the date of call of elections, and the number of the payment bank account, from which the costs were covered; if the political party incurred no costs, it shall submit a declaration on oath about it.

(3) The political party shall deliver the final report to the Ministry of Interior in paper form and in electronic form no later than on the 30th day after the election date.

(4) The Ministry of Interior shall publish the final report of the political party at its website within 30 days from its delivery in paper form and it shall be available to the public for five years.

(5) The day of opinion polling, the day of promotional event or advertising event shall be decisive for inclusion of costs pursuant to Paragraph 2 into the final report.

(6) If the Ministry of Interior finds out that the final report does not contain data pursuant to Paragraph 2 or if the data are not complete, it shall call upon the political party to eliminate the found deficiencies. The political party shall be obliged to do so within 15 days from the delivery of the call.

(7) The political party shall prepare the final report in the form published by the Ministry of Interior at its website no later than on the date of elections.

Article 5

Funding of Election Campaign for Election of the President of the Slovak Republic

(1) The candidate for President of the Slovak Republic (hereinafter the "candidate for President") may spend maximum EUR 500,000 inclusive of value added tax on their election campaign in total for both rounds of elections. This sum shall also include the costs spent on the promotion of the candidate, which the candidate for President spent at the time beginning 180 days before the day of call of elections, and the costs, which were paid or are to be paid by the candidate for President. If the political commercial, advertisement or programme are published or broadcast free of charge or for a reduced price by other broadcaster than the Radio and Television of Slovakia, the above sum shall include their usual price.

(2) The costs of election campaign of the candidate for President shall mean the sum of all financial resources, donations and other performances for free that can be priced by money

spent by the candidate for President on the settlement of paid advertising or commercials, for the settlement of political commercials, for the settlement of production of advertising posters, leaflets, other advertising materials and objects, and any other performances connected with the election campaign.

(3) The candidate for President may accept donations and other performances for free for the election campaign only from

- a) a natural person permanently residing in the territory of the Slovak Republic,
- b) a legal person based in the territory of the Slovak Republic,
- c) a political party registered in the Slovak Republic.

(4) The candidate for President must not accept any donation or other performance for free for the election campaign from

- a) the State, Slovak Land Fund, municipality or higher territorial unit,
- b) legal persons established or founded by the State, Slovak Land Fund, municipality or higher territorial unit,
- c) legal persons with the participating interest of the State, Slovak Land Fund, municipality or higher territorial unit,
- d) civil associations, foundations, non-profit organisations providing services of general economic interest, non-investment funds, interest associations of legal persons, associations of municipalities, and organisations with an international element,
- e) public institutions and other legal persons established by law,
- f) a person, for whom it cannot provide donor's identification data or identification data of the contracting party that provided other performance for free,
- g) a European political party and European political foundation.

(5) The financial resources intended for election campaign must be kept by the candidate for President on a special bank account.

(6) The data on the special account pursuant to Paragraph 5 must be available to third persons for free, remotely and continuously and must show the summary of payment transactions. The website containing the data shall be notified by the candidate for President in paper form or in electronic form immediately after opening the account to the Ministry of Interior, which will publish it at its website.

(7) Funds must be deposited on the special account pursuant to Paragraph 5 solely by transfer from another account. At the request of the Ministry of Interior, the candidate for President must prove, who is the owner of the account, from which the funds were transferred.

(8) The candidate for President shall save the statements of the account pursuant to Paragraph 5 for five years from issuance.

(9) The candidate for President shall keep special records of non-monetary donations and other performances for free including the date of acceptance of the donation or other performance for free, their value and identification data of the donor or identification data of the contracting party that provided other performance for free including the name, surname and permanent residence for a natural person, and name, registered office and ID number of the

organisation for a legal person. For purposes of inclusion of the donation or other performance for free in the costs of election campaign, the candidate for President shall be obliged to include the difference between the price provided in the contract and usual price.

(10) The candidate for President shall keep special records of the use of resources pursuant to Paragraphs 5 and 9 for election campaign with the following structure

- a) costs of settlement of pre-election and election opinion polls,
- b) costs of settlement of paid advertising or commercials,
- c) costs of political commercials broadcasting,
- d) costs of settlement of election posters,
- e) travel expenses,
- f) the summary of non-monetary donations and other performances for free and their value,
- g) any other costs of the candidate for President for their promotion,
- h) the summary of costs spent by the candidate for President for their promotion at the time beginning 180 days before the date of call of elections, and the number of the payment bank account, from which the costs were covered; if the political party incurred no costs, it shall submit a declaration on oath about it.

(11) The candidate for President shall be obliged to publish information structured pursuant to Paragraph 10 at its website, and deliver it to the Ministry of Interior in paper form and in electronic form within 30 days after the date of elections.

(12) The Ministry of Interior shall publish information pursuant to Paragraph 11 within 30 days from its delivery in paper form at its website and it shall be available to the public for five years.

(13) The candidate for President shall save the documents from record-keeping pursuant to Paragraph 9 and 10 at least for five years from the end of the election campaign.

(14) At the request of the Ministry of Interior, the candidate for President shall be obliged to submit the documents and submit information, explanation or provide other data concerning their election campaign within ten days from the delivery of the request.

(15) In conducting election campaign for President, a political party shall have the position of third party pursuant to Paragraph 8.

(16) The report on the resources spent by the candidate for President on election campaign shall be produced in the form published by the Ministry of Interior at its website no later than on the date of election.

Article 6

Funding of Election Campaign in Elections to Local Government Bodies by Candidates

(1) An independent candidate can spend on their election campaign the amount, which includes value added tax, as follows

- a) for the post of Self-Governing Region Chairman maximum EUR 250,000,
- b) for the post of mayor of the capital of the Slovak Republic Bratislava and for the post of mayor

of the city of Košice maximum EUR 250,000,

c) for the post of mayor of town, mayor of municipality or mayor of a city district with the number of inhabitants

1. from 60,001 to 120,000 inhabitants maximum EUR 100,000,
2. from 30,001 to 60,000 inhabitants maximum EUR 70,000,
3. from 16,001 to 30,000 inhabitants maximum EUR 50,000,
4. from 10,001 to 16,000 inhabitants maximum EUR 20,000,
5. from 5,001 to 10,000 inhabitants maximum EUR 10,000,
6. from 2,001 to 5,000 inhabitants maximum EUR 5,000,
7. up to 2,000 inhabitants maximum EUR 2,000.

(2) The sums pursuant to Paragraph 1 shall also include the costs of election campaign of an independent candidate if the independent candidate pursuant to Paragraph 1 stands as an independent candidate in the same elections for the post of member of the council of a Self-Governing Region, member of municipal council, member of city council or member of local council.

(3) No limit of costs for election campaign is determined for the independent candidate, who stands as a candidate only for the post of member of the council of a Self-Governing Region, member of municipal council, member of town council or member of local council.

(4) The independent candidate's costs of election campaign shall mean the sum of all financial resources, donations and other performances for free, which can be priced by money spent by the independent candidate on the settlement of paid advertising or commercials and on the settlement of production of advertising programmes, posters, leaflets, and other promotional materials and objects. The sums pursuant to Paragraph 1 shall also include the costs spent on the promotion of the candidate, which the candidate spent at the time beginning 180 days before the date of call of elections.

(5) An independent candidate may accept donations and other performances for free for the election campaign only from the entities listed in Article 5 (3).

(6) An independent candidate must not accept donations or other performances for free for the election campaign from the entities listed in Article 5 (4).

(7) An independent candidate for the post of Self-Governing Region Chairman and an independent candidate for the post of town mayor, municipality mayor, head of city district in a municipality with over 5,000 inhabitants must keep the financial resources for election campaign on a special bank account. Funds must be deposited on the special account solely by transfer from another account. At the request of the Ministry of Interior, the independent candidate must prove, who is the owner of the account, from which the funds were transferred.

(8) The data on the special account pursuant to Paragraph 7 must be available to third persons for free, remotely and continuously and must show the summary of payment transactions. The website containing the data shall be notified by the independent candidate in paper form or in electronic form immediately after opening the account to the Ministry of Interior, which will publish it at its website.

(9) The independent candidate shall save the statements of the account pursuant to Paragraph 7 for three years from issuance.

(10) The independent candidate shall keep special records of donations and other performances for free including the date of acceptance of the donation or other performance for free, their value and identification data of the donor including the name, surname and permanent residence for a natural person, and name and registered office and ID number of the organisation for a legal person, or identification data of the person that provided other performance for free

including the name, surname and permanent residence for a natural person, and name, registered office and ID number of the organisation for a legal person. For purposes of inclusion of the donation or other performance for free in the costs of election campaign, the independent candidate shall be obliged to include the difference between the price agreed and usual price.

(11) The independent candidate shall keep special records of the use of resources pursuant to Paragraphs 7 and 10 for election campaign with the following structure

- a) costs of settlement of pre-election and election opinion polls,
- b) costs of settlement of paid advertising, commercials or political commercials,
- c) costs of settlement of election posters,
- d) travel expenses,
- e) the summary of non-monetary donations and other performances for free and their value,
- f) any other costs of the independent candidate for their promotion,
- g) the summary of costs, which the independent candidate pursuant to Paragraph 1 spent on their promotion at the time beginning 180 days before the date of call of elections, and the independent candidate for the post of Self-Governing Region Chairman, for the post of town mayor, municipality mayor, head of city district in a municipality with over 5,000 inhabitants, also the number of the payment bank account, from which the costs were settled; if he/she incurred no costs, it shall submit a declaration on oath about it.

(12) At the request of the Ministry of Interior, the independent candidate shall be obliged to submit the documents and submit information, explanation or provide other data concerning their election campaign within ten days from the delivery of the request.

(13) The independent candidate shall save the documents from record-keeping pursuant to Paragraph 10 and 11 at least for five years from the end of the election campaign.

(14) The independent candidate for the post of Self-Governing Region Chairman, and the independent candidate for the post of town mayor, municipality mayor, head of city district in a municipality with over 5,000 inhabitants shall be obliged to publish at their website a report on the resources spent on election campaign structured pursuant to Paragraph 11, and to deliver it to the Ministry of Interior in paper form and in electronic form within 30 days after the elections; the report shall be produced in the form published by the Ministry of Interior at its website no later than on the date of elections.

(15) The Ministry of Interior shall publish the report pursuant to Paragraph 14 at its website within 30 days from its delivery in paper form and it shall be available to the public for five years; if it is the report of candidates for the post pursuant to Paragraph 1 (b) and (c), the time limit for publishing the report is 90 days.

(16) If the election campaign for the posts provided in Paragraphs 1 and 3 is conducted by the candidate included in the list of candidates of a political party alone, the provisions of this Paragraph shall apply to them as to an independent candidate. It must be obvious from the election campaign of such candidate that he/she is in the list of candidates of a political party.

Article 7

Funding of Election Campaign in Elections to Local Government Bodies by a Political Party

The political party conducting election campaign in elections to local government bodies

may spend on the campaign maximum EUR 500,000. Article 3 (1) second sentence shall apply to the limit of costs of the political party accordingly. The political party shall be obliged to follow Article 3 (2) to (9). The political party shall be obliged to publish at its website a report on the resources spent on the election campaign structured pursuant to Article 3 (7) and to deliver it to the Ministry of Interior in paper form and in electronic form within 30 days after the election date. The Ministry of Interior shall publish the report pursuant to the previous sentence at its website within 30 days from its delivery and it shall be available to the public for five years.

Article 8

Election Campaign Conducted by a Third Party

(1) For the purposes of this Act, third party means the natural person, natural person - entrepreneur or legal person registered by the State Commission for Elections and Control of Funding of Political Parties (hereinafter the "State Commission").

(2) For the purposes of this Act, the third party must not be

- a) the State, Slovak Land Fund, municipality or higher territorial unit,
- b) a legal person established or founded by the State, Slovak Land Fund, municipality or higher territorial unit,
- c) a legal person with the participating interest of the State, Slovak Land Fund, municipality or higher territorial unit,
- d) a public institution and a legal person established by law,
- e) a natural person not permanently residing in the territory of the Slovak Republic,
- f) a legal person based abroad,
- g) a European political party and European political foundation,
- h) a political party, whose list of candidates was registered in the elections pursuant to a special regulation or the natural persons included in the list of candidates of such political party,
- i) a natural person, who became candidate in elections pursuant to a special regulation.

(3) The application for registration must contain the name, surname, address of permanent residence, identity card number or residence document of the applicant if a natural person is concerned, and the business name, identification number and date of birth, if a natural person - entrepreneur is concerned, the name and registered office, legal form and identification number of organisation of the applicant for a legal person. The application shall be submitted in the form published by the State Commission at its website.

(4) If the application for registration is complete, the State Commission shall register the third party without undue delay. The general regulation on administrative proceedings shall not apply to the registration of third parties. The third party may commence the election campaign immediately after it has been published in the list pursuant to Paragraph 5.

(5) The list of third parties shall be published by the State Commission at its website. The list must be publicly available; it must also be available after the end of the election campaign, for six months after the announcement of election results. The date of birth, identity card number and residence document number shall not be part of the data published or made available.

(6) The list of third parties shall be kept by the State Commission for every election separately.

(7) The third party may spend on election campaign maximum EUR 100,000 inclusive of value added tax, and if elections to local government bodies are concerned, maximum EUR 25,000 inclusive of value added tax.

(8) The third party may accept donations and other performances for free for the election campaign only from the entities listed in Article 5 (3) (a) and (b).

(9) The third party must not accept donations or other performances for free for the election campaign from the entities listed in Article 5 (3) (c) and (4).

(10) The financial resources intended for election campaign must be kept by the third party on a special bank account. The data on the special account must be available to third persons for free, remotely and continuously and must show the summary of payment transactions. The website containing the data shall be notified by the third party in paper form or in electronic form immediately after opening the account to the Ministry of Interior, which will publish it at its website.

(11) Funds must be deposited on the special account pursuant to Paragraph 10 solely by transfer from another payment account. At the request of the Ministry of Interior, the third party must prove, who is the owner of the payment account, from which the funds were transferred.

(12) The third party shall keep records of the use of resources for election campaign containing

a) costs of settlement of pre-election and election opinion polls,

b) costs of settlement of paid advertising or commercials,

c) costs of placing election posters,

d) the costs not included in (a) to (c) and spent on election campaign,

e) the summary of non-monetary donations and other performances for free including the date of acceptance of the donation or other performance for free, their value and identification data of the donor including the name, surname and permanent residence for a natural person, and name and registered office and ID number of the organisation for a legal person, or identification data of the person that provided other performance for free including the name, surname and permanent residence for a natural person, and name, registered office and ID number of the organisation for a legal person.

(13) The third party shall save the documents from record-keeping pursuant to Paragraph 12 and statements of account at least for five years from the end of the election campaign.

(14) At the request of the Ministry of Interior, the third party shall be obliged to submit the documents, and submit information, explanation or provide other data concerning its election campaign within ten days from the delivery of the request.

(15) Within ten days after the end of the election campaign, the third party shall be obliged to publish the summary of costs pursuant to Paragraph 12 at its website for a period of 60 days and to deliver it to the Ministry of Interior in paper form and in electronic form within 30 days after the date of elections. The Ministry of Interior shall publish the summary of costs at its website within 30 days from its delivery in paper form and it shall be available to the public for five years. The summary of costs shall be submitted in the form published by the Ministry of Interior at its website no later than on the date of elections.

(16) The authorisation to act as a third party shall expire on the day following the day, on

which the list of candidates of a political party or a candidate were registered in the elections pursuant to a special regulation; if a candidate for President is concerned, on the day following the day of acceptance of the proposal for candidate for President.

Article 9

Election Campaign Control

(1) Election campaign control pursuant to this Act (hereinafter "control") shall be carried out by

- a) the Ministry of Interior, and
- b) District Office.

(2) The District Office shall carry out control according to the authorisation from the Ministry of Interior. The authorisation must be in paper form; if the situation requires it, it may also be delivered to the District Office in electronic form. The District Office shall be obliged to send the record pursuant to Paragraph 6 to the Ministry of Interior and controlled entity without undue delay.

(3) General principles of control activity pursuant to a special regulation shall apply to control. 9)

(4) The Ministry of Interior and the District Office are entitled to request from the controlled entity all information and documents, of which the entity is obliged to keep records pursuant to this Act.

(5) The Ministry of Interior and the District Office are entitled to impose an order fine up to EUR 300 in fine procedure upon the person that fails to provide during control the cooperation necessary for the performance of control.

(6) A record of control shall be produced containing

- a) the designation of the control body,
- b) the designation of the controlled entity,
- c) the subject of control,
- d) the date and place of control,
- e) the description of the found condition if control on the spot is concerned,
- f) the result of the control performed,
- g) the name, surname of the person performing control, their signature and official seal.

(7) During control pursuant to this Act, the Ministry of Interior and the District Office are entitled to process the personal data, which they come into contact with during control activities pursuant to this Act, without the consent of the affected person.

Article 10

Broadcasting during Election Campaign for Elections to the National Council of the Slovak Republic and for Elections to the European Parliament

(1) The Radio and Television of Slovakia shall reserve maximum 30 minutes of broadcasting time for each political party or coalition of political parties standing as candidates,

however, in total maximum ten hours of broadcasting time for political commercials broadcasting in radio broadcasting and maximum ten hours of broadcasting time for political commercials broadcasting in television broadcasting. The claim to broadcasting time must be set up no later than five days before the commencement of political commercials broadcasting, otherwise it will expire.

(2) In addition to the time pursuant to Paragraph 1, the Radio and Television of Slovakia shall reserve ten hours of broadcasting time for discussion programmes in radio broadcasting and ten hours of broadcasting time for discussion programmes in television broadcasting.

(3) The broadcaster holding the authorisation for broadcasting based on a licence ¹⁰⁾ (hereinafter the “licensed broadcaster”) may reserve for political commercials broadcasting maximum 30 minutes of broadcasting time for each political party or coalition of political parties standing as candidates, however, in total maximum ten hours of broadcasting time.

(4) The Radio and Television of Slovakia and the licensed broadcaster shall divide the times pursuant to Paragraphs 1 to 3 uniformly among the political parties standing as candidates and the coalitions of political parties standing as candidates so that the determination of broadcasting time does not disadvantage any political party or coalition of political parties.

(5) At the time pursuant to Article 12 (1), the licensed broadcaster may broadcast, in addition to political commercials pursuant to Paragraph 3, the discussion programmes with representatives of the political parties standing as candidates or of the coalitions of political parties standing as candidates only provided that their inclusion into the programme structure for that period has been approved by the Council for Broadcasting and Retransmission ¹¹⁾ (hereinafter the “Council”). In such case, the licensed broadcaster shall be obliged to submit to the Council, no later than 30 days before the commencement of broadcasting, the project of the programme, which must also contain the way of such selection of discussion participants so that none of the political parties and none of the coalitions of political parties is disadvantaged. The inclusion of such programme into broadcasting shall not be considered a change of programme service. ¹²⁾

(6) The costs of political commercials in the broadcasting of the Radio and Television of Slovakia and the costs of political commercials in the broadcasting of the licensed broadcaster shall be covered by the political parties standing as candidates and the coalitions of political parties standing as candidates. The Radio and Television of Slovakia and the licensed broadcaster shall be obliged to provide all the political parties standing as candidates and the coalitions of political parties standing as candidates with equal conditions for the purchase of broadcasting time and equal price and payment conditions.

(7) Broadcasting of programmes different from the ones mentioned in Paragraphs 2 and 5 and Article 12 (5), and broadcasting of political commercials mentioned in Paragraphs 1 and 3, which could affect the voting of voters in favour or to the detriment of a political party standing as a candidate or coalition of political parties standing as a candidate during the election campaign is prohibited.

Article 11

Broadcasting during the Election Campaign for Elections of President

(1) The Radio and Television of Slovakia shall reserve maximum one hour of broadcasting time for each candidate for President, however, in total maximum ten hours of broadcasting time for political commercials broadcasting in radio broadcasting and maximum ten hours of broadcasting time for political commercials broadcasting in television broadcasting. The claim to broadcasting time must be set up no later than five days before the commencement of political commercials broadcasting, otherwise it will expire.

(2) In addition to the time pursuant to Paragraph 1, the Radio and Television of Slovakia

shall reserve ten hours of broadcasting time for discussion programmes in radio broadcasting and ten hours of broadcasting time for discussion programmes in television broadcasting.

(3) The Radio and Television of Slovakia and the licensed broadcaster shall divide the times pursuant to Paragraphs 1, 2 and 4 uniformly among the candidates for President so that the determination of broadcasting time does not disadvantage any candidate for President.

(4) The licensed broadcaster may reserve for political commercials broadcasting maximum 30 minutes of broadcasting time for each candidate for President, however, in total maximum ten hours of broadcasting time.

(5) At the time of election campaign, the licensed broadcaster may broadcast, in addition to political commercials pursuant to Paragraph 4, the discussion programmes with candidates for President only provided that their inclusion into the programme structure for that period has been approved by the Council. In such case, the licensed broadcaster shall be obliged to submit to the Council, no later than 25 days before the commencement of broadcasting, the project of the programme, which must, inter alia, also contain the way of such selection of discussion participants so that none of the candidates for President is disadvantaged. The inclusion of such programme into broadcasting shall not be considered a change of programme service.

(6) The costs of political commercials in the broadcasting of the Radio and Television of Slovakia and the costs of political commercials in the broadcasting of the licensed broadcaster shall be covered by the candidates for President. The Radio and Television of Slovakia and the licensed broadcaster shall be obliged to provide all the candidates for President with equal conditions for the purchase of broadcasting time and equal price and payment conditions.

(7) Broadcasting of programmes different from the ones pursuant to Article 12 (5) and from the ones mentioned in Paragraphs 2 and 5, and broadcasting of political commercials mentioned in Paragraphs 1 and 4, which could affect the voting of voters holding the right to vote in favour or to the detriment of a candidate for President is prohibited.

(8) If the second round of elections of President takes place, the provision of Article 12 (1) shall not be applied and broadcasting of political commercials shall be permitted at the time beginning on the date of announcement of election results of the first round of elections of President by the State Commission and ending 48 hours before the date of the second round of elections. The Radio and Television of Slovakia shall reserve two hours of broadcasting time for political commercials broadcasting and two hours for broadcasting of discussion programmes separately in radio broadcasting and separately in television broadcasting; the candidates for president shall set up a claim to broadcasting time within 24 hours from the announcement of results of the first round of elections. The licensed broadcaster may reserve maximum two hours of broadcasting time for political commercials broadcasting and maximum two hours of broadcasting time for broadcasting of discussion programmes. The provision of Paragraph 3 shall also apply accordingly to broadcasting of political commercials and discussion programmes before the second round of elections.

Article 12

Common Provisions on Broadcasting Political Commercials pursuant to Articles 10 and 11

(1) Broadcasting of political commercials is permitted only at the time beginning 21 days before the election date and ending 48 hours before the election date.

(2) The political parties standing as candidates, coalitions of political parties standing as candidates, and candidates for President shall be responsible for the content of political commercials.

(3) At the beginning and end of political commercials broadcasting, the Radio and Television of Slovakia and the licensed broadcaster shall provide its explicit marking and

separation from other programmes and other components of programme service by broadcasting a notice that it is paid broadcasting.

(4) It is prohibited to broadcast political commercials at the time reserved in radio broadcasting and television broadcasting for commercials. The limitations of time scope of the commercials broadcast pursuant to a special regulation shall not apply to the time provided for political commercial broadcasting. 13)

(5) For the purposes of this Act, political commercials shall not mean the broadcasting of news programmes and political programmes if they are in compliance with the programme service.

(6) The provisions of Paragraphs 1 to 5 and the provisions of Article 10 and 11 shall not apply to broadcasting via the internet.

(7) The violation of rules of political commercials broadcasting pursuant to this Act shall be sanctioned pursuant to a special regulation. ¹⁴⁾

Article 13

Broadcasting during the Election Campaign for Elections to Local Government Bodies

(1) The Radio and Television of Slovakia and the licensed broadcaster may, for the time set in Article 12 (1), reserve broadcasting time for discussion programmes for candidates for the post of Self-Governing Region Chairman, member of Self-Governing Region council, municipality mayor, town mayor, and member of municipal council, town council or local council in radio broadcasting and television broadcasting so that none of the candidates is disadvantaged by the determination of the broadcasting time.

(2) Broadcasting of programmes different from the ones mentioned in Paragraph 1, which could affect the voting of persons holding the right to vote in favour or to the detriment of a candidate is prohibited.

Article 14

Publicising Information on Entities Standing as Candidates during Election Campaign

(1) Publicising information on the political parties standing as candidates, coalitions of political parties standing as candidates, candidates for President and candidates for the posts in local government bodies in favour or to the detriment of them in radio broadcasting, in television broadcasting, within the audio visual media services on request, in periodical publications, non-periodical publications and in agency coverage is prohibited 48 hours before the commencement of elections and on the date of elections until the end of voting.

(2) The provisions of Paragraph 1 shall not apply to broadcasting via the internet.

Article 15

Election Campaign Transparency

(1) Everyone conducting election campaign pursuant to this Act shall be obliged to ensure that the broadcast political commercials, publicised paid advertising, publicised election posters and any other ways of election campaign conduct contain the data on the person ordering and supplying including the name, surname and municipality of permanent residence for a natural person, and the name, registered office and ID number of organisation for a legal person; the same applies to the presentation of pre-election and election opinion polls.

(2) As regards small advertising products, such as badges, pens, key pouches, pendants and other, from the data pursuant to Paragraph 1 they shall contain only the data on the ordering person including the name and surname for a natural person, and the name for a legal person.

The provision of the first sentence shall also apply to the broadcasting of political commercials in radio broadcasting shorter than 30 seconds.

Article 16
Placing Election Posters

The municipality, and the city district in the capital of the Slovak Republic Bratislava and in the city of Košice, through a generally binding order, shall reserve places and set conditions for placing election posters in public areas during election campaign for elections to the National Council of the Slovak Republic, elections to the European Parliament, elections of the President of the Slovak Republic, elections to Self-Governing Region bodies, and elections to bodies of local government of municipalities. The reserved area must correspond to the principles of equality of the entities standing as candidates.

Article 17
Election Opinion Polls

It is prohibited to publicise results of opinion polls at the time 14 days before the election date and on the election date until the end of voting. If the second round of elections of President takes place, it is prohibited to publicise results of opinion polls at the time seven days before the date of the second round of elections and on the election date until the end of voting.

Article 18
Common Provisions on Disposal of Resources on Special Accounts

(1) The political party, candidate for President, candidate pursuant to Article 6 and third party (hereinafter the “special account holder”) may accept a monetary donation to the special account only provided that it is remitted by transfer from another account. If the statement of the special account does not prove who the donor is, the special account holder shall be obliged to return such monetary donation within 30 days to the account, from which the monetary donation was remitted. If there is no such account, the special account holder shall be obliged to notify such fact to the Ministry of Finance of the Slovak Republic (hereinafter the “Ministry of Finance”) without undue delay and to remit the monetary donation to the income account of the State Budget. The monetary donation pursuant to the previous sentence shall represent income of the State Budget. The Ministry of Finance shall immediately notify the special account holder of the data necessary for remitting the monetary donation to the State Budget.

(2) If the donor remits a monetary donation to the special account holder as a cash deposit on the special account, the special account holder shall be obliged to return the monetary donation to the donor within 60 days. If the monetary donation cannot be returned to the donor, the special account holder shall be obliged to notify the fact to the Ministry of Finance without undue delay and and to remit the monetary donation to the income account of the State Budget. The monetary donation pursuant to the previous sentence shall represent income of the State Budget. The Ministry of Finance shall immediately notify the special account holder of the data necessary for remitting the monetary donation to the State Budget.

(3) If the special account holder does not want to accept the resources remitted to their special account, they shall return the resources to the donor’s account without undue delay using the procedure pursuant to Paragraph 1.

(4) The special account holder shall be obliged to deposit the funds on their special account exclusively by transfer from another account.

(5) The funds can be deposited on the special account within 48 hours before the date of elections. The funds must not be received to the special account after the time limit pursuant to the first sentence. The special account holder shall be obliged to ensure that no funds can be credited to the special account after the time limit pursuant to the first sentence.

(6) The funds on the special account unused for election campaign must not be disposed of for 90 days after the announcement of election results and during the proceeding in the matter of violation of the rules for election campaign funding.

(7) If the funds are withdrawn from the special account in cash, the special account holder shall be obliged to keep records on the use of such funds.

Article 19 **Administrative Delinquencies**

(1) The State Commission shall impose a penalty in the amount from EUR 30,000 to EUR 300,000 upon the political party if

- a) it conducts election campaign after the time laid down in Article 2 (2) or
- b) it violates the ban pursuant to Article 17.

(2) The Ministry of Interior shall impose a penalty in the amount from EUR 10,000 to EUR 100,000 upon the political party if

- a) it exceeds the admissible amount of costs pursuant to Article 3 (1) and Article 7,
- b) it fails to fulfil the duty pursuant to Article 3 (2), (3), (5) or (6),
- c) it fails to deliver documents or provide information pursuant to Article 3 (9),
- d) it fails to deliver the final report pursuant to Article 4 (3),
- e) it fails to fulfil the duty pursuant to Article 15,
- f) it fails to fulfil the duty pursuant to Article 18 (1), (2), (4), (5), (6) or (7) or
- g) it fails to fulfil any other duty imposed by this Act.

(3) The State Commission shall impose a penalty in the amount from EUR 5,000 to EUR 50,000 upon the candidate for President if

- a) he/she conducts election campaign after the time laid down in Article 2 (2) or
- b) he/she violates the ban pursuant to Article 17.

(4) The Ministry of Interior shall impose a penalty in the amount from EUR 2,000 to EUR 30,000 upon the candidate for President if

- a) he/she exceeds the admissible amount of costs pursuant to Article 5 (1),
- b) he/she fails to fulfil the duty pursuant to Article 5 (5) or (7),
- c) he/she fails to fulfil the duty pursuant to Article 5 (11),
- d) he/she fails to fulfil the duty pursuant to Article 5 (13) or (14),
- e) he/she fails to fulfil the duty pursuant to Article 15,
- f) he/she fails to fulfil the duty pursuant to Article 18 (1), (2), (4), (5), (6) or (7) or

g) he/she fails to fulfil any other duty imposed by this Act.

(5) The State Commission shall impose a penalty in the amount from EUR 1,000 to EUR 10,000 upon the candidate pursuant to Article 6 if

a) he/she conducts election campaign after the time laid down in Article 2 (2) or

b) he/she violates the ban pursuant to Article 17.

(6) The Ministry of Interior shall impose a penalty in the amount from EUR 1,000 to EUR 10,000 upon the candidate pursuant to Article 6 if

a) he/she exceeds the admissible amount of costs pursuant to Article 6 (1),

b) he/she fails to fulfil the duty pursuant to Article 6 (7), (12), (13) or (14),

c) he/she fails to fulfil the duty pursuant to Article 15,

d) he/she fails to fulfil the duty pursuant to Article 18 (1), (2), (4), (5), (6) or (7) or

e) he/she fails to fulfil any other duty imposed by this Act.

(7) The State Commission shall impose a penalty in the amount from EUR 1,000 to EUR 10,000 upon the third party if

a) the third party conducts election campaign after the time laid down in Article 2 (2) or

b) the third party violates the ban pursuant to Article 17.

(8) The Ministry of Interior shall impose a penalty in the amount from EUR 1,000 to EUR 10,000 upon the third party if

a) the third party exceeds the admissible amount of costs pursuant to Article 8 (7),

b) the third party fails to fulfil the duty pursuant to Article 8 (10), (14) or (15),

c) the third party fails to fulfil the duty pursuant to Article 15,

d) the third party fails to fulfil the duty pursuant to Article 18 (1), (2), (4), (5), (6) or (7) or

e) the third party fails to fulfil any other duty imposed by this Act.

(9) The Ministry of Culture of the Slovak Republic shall impose a penalty from EUR 1,000 to EUR 10,000 upon the publisher of a periodical or non-periodical publication or upon a news agency, if they violate the prohibition pursuant to Article 14 (1) or Article 17.

(10) The Ministry of Interior shall impose a penalty from EUR 3,000 to EUR 10,000 upon the natural person - entrepreneur or legal person that violates the prohibition pursuant to Article 2 (3), and a penalty amounting to EUR 100,000 if they violate the prohibition pursuant to Article 17.

(11) The penalties pursuant to Paragraphs 1 to 10 can be imposed within one year from the day, on which the State Commission, Ministry of Interior or Ministry of Culture of the Slovak Republic learnt of the violation of the Act, however, no later than within three years from the violation of the Act.

(12) When imposing a penalty and making decision on its amount, the severity, way of conduct and duration of the unlawful condition shall be taken into account.

(13) The general regulation on administrative proceedings shall be applied to penalty proceedings unless otherwise laid down by this Act.

(14) No appeal may be lodged against the decision of the State Commission pursuant to Paragraphs 1, 3, 5, and 7.

(15) The decision on the appeal against the decision of the Ministry of Interior shall be made by the State Commission.

Article 20 **Delinquencies**

(1) A delinquency is committed by a person, who

a) performs activity in favour or to the detriment of the political party or candidate in election at a publicly accessible place after the expiry of the time pursuant to Article 2 (2), in particular by speech, by placing election posters or by providing gifts in kind,

b) violates the ban pursuant to Article 2 (3),

c) promises a financial reward or a gift in kind for the ballot paper, which the voter does not put into the ballot box or

d) as a voter takes over a financial reward or a gift in kind for the ballot paper, which he/she does not put into the ballot box.

(2) For a delinquency pursuant to Paragraph 1 (a) and (b), the District Court shall impose a penalty from EUR 300 to EUR 1,000, and for a delinquency pursuant to Paragraph 1 (c) and (d) a from EUR 300 to EUR 3,000.

(3) Delinquencies and discussing them shall be governed by the general regulation on delinquencies.

Article 21

The provisions of this Act on election campaign shall not apply to elections to the National Council of the Slovak Republic, elections of President and elections to local government bodies called before 30 June 2015 if they are to take place after 1 July 2015.

Article 22

The limit of costs of a political party for election campaign in elections to higher territorial unit bodies in 2017 shall include the resources spent by the political party from the effective date of this Act.

Article 23

Transitional Provisions to Amendments Effective from 1 January 2019

(1) The rules of election campaign effective from 1 January 2019 shall be applied for the first time for elections announced after 31 December 2018.

(3) The proceedings for imposing sanctions in connection with the elections commenced till 31 December 2018 shall be finished pursuant to the regulations effective till 31 December 2018.

Section II

Act No. 85/2005 Coll. on political parties and political movements as amended by Act No. 445/2008 Coll., Act No. 568/2008 Coll. and Act No. 266/2010 Coll. shall be amended as follows:

1. In Article 3 (1) the words “and the citizen of other Member State of the European Union permanently residing in the territory of the Slovak Republic” shall be added after the words “in the territory of the Slovak Republic”.

2. In Article 5 (5) and in Article 23 (4), the words “at its internet site” shall be replaced by the words “at its website”.

3. In Article 6 (5) (a), the word “is” shall be replaced by the words “has been”.

4. Article 6a shall be added after Article 6 and including the title, it shall read as follows:

“Article 6a
Notice of the Preparatory Committee”

(1) The preparatory committee may notify the Ministry that it has commenced with collecting signatures for the list of citizens pursuant to Article 6 (4) (a).

(2) The notice shall contain the identification data of members of the preparatory committee within the scope pursuant to Article 6 (3), the proposed name of the party and its abbreviation if it should be used, and the date of commencement of collection of signatures for the list of citizens.

(3) The notice pursuant to Paragraph 2 shall be published by the Ministry at its website without undue delay for a period of 180 days.

(4) For the period mentioned in Paragraph 3, the Ministry

a) shall not accept or publish a notice of other preparatory committee with the name of the party or abbreviation identical with the name of the party or abbreviation in the published notice,

b) shall not make decision on the registration of a party with the name of the party or abbreviation identical with the name of the party or abbreviation in the published notice, and

c) shall not carry out any change of the name of the registered party or abbreviation in the register of parties if the name of the party or abbreviation does not differ from the name of the party or abbreviation provided in the published notice.

(5) If within the time limit pursuant to Paragraph 3, the preparatory committee fails to submit to the Ministry a proposal for the registration of the party mentioned in the published notice, the limitations pursuant to Paragraph 4 shall not be applied anymore.”.

5. In Article 14 (1) (e), a comma and the words “Article 30 (8)” shall be added after the words “Article 8 (5)”.

6. Article 16 (2) shall read as follows:

“(2) The dissolution of the party and the data recorded in the register of parties shall be notified by the liquidator in writing to the Ministry within five days from the dissolution of the party. The notice must be accompanied by the resolution of the body of the party competent according to the registered statutes of the party, which made the decision on the dissolution of the party with liquidation, signed by the statutory body or by such number of members of the statutory body as

needed for the adoption of such decision pursuant to the statutes. The authenticity of signatures must be attested. Upon the registration, the competence of the statutory body shall pass on to the liquidator recorded in the register of parties.”.

7. Article 21 shall be omitted.

The footnotes to references 14 to 16 shall be omitted.

8. In Article 22 (1), the word "only" shall be added after the word "may".

9. In Article 22, paragraph 1 shall be supplemented with subparagraph (j) reading:

“j) other income from legal relations and fulfilment of duties pursuant to special regulations.”.

10. In Article 22 (2), the second sentence shall read as follows:

“The special records shall contain data on the person providing the loan or credit including the name, surname, and address of permanent residence, if a natural person is concerned; for a natural person - entrepreneur, also the business name, and for a legal person, the name or business name, ID number and registered office.”.

11. Article 22 (3) and (4) shall read as follows:

“(3) The party shall be obliged to keep special records of donations and other performances for free pursuant to Article 23 (7) and (8).

(4) The party shall be obliged to keep special records of received membership fees containing the date of receipt of the membership fee, its amount and data on the member of the party, i.e. the name, surname, and address of permanent residence. A membership fee exceeding EUR 100 may be accepted by the party only provided that it has been remitted in the form of cashless payment transaction.”.

12. Article 22 shall be supplemented with paragraph 5 reading:

“(5) Every year by 31 March, the party shall be obliged to publish at its website or in the daily press the list of persons that contributed to its activity in the previous calendar year by an amount higher than the minimum wage of an employee remunerated by monthly wage valid at the time of contribution acceptance, or by a donation or other performance for free, whose value is higher than the minimum wage of an employee remunerated by monthly wage valid at the time of acceptance of the donation or performance for free. In the notice, the party shall provide the amount of the financial contribution, subject and value of the donation, subject and value of another performance for free, further, the identification data on the person contributing to party's activity including the name, surname, and address of permanent residence, if a natural person is concerned; for a natural person - entrepreneur, also the business name and for a legal person, the name or business name and registered office.”.

13. In Article 23 (1) a semicolon and the words "this shall not apply if the value of the monetary donation from one donor does not exceed EUR 200 in a calendar year" shall be added after the words "pursuant to this Act.”.

14. In Article 23 (2) (b), the words “business name of the bank or foreign bank branch and the account number of the beneficiary” shall be replaced by the words “the number of the payment account 19a) of the beneficiary kept by a bank or foreign bank branch 19b) (hereinafter the “bank”) and the business name of this bank”.

The footnotes to references 19a and 19b shall read as follows:

“19a) Article 2 (9) of Act No. 492/2009 Coll. on payment services and on the amendment to certain

acts as amended.

19b) Article 2 (1), (5) and (8) of Act No. 483/2001 Coll. on banks and on the amendment to certain acts as amended.”.

15. Article 23 (2) (c) Point 2 shall read as follows:

“2. the exact designation and value of the movable asset excluding mistaking for another movable asset; if a donation up to EUR 2,500 is concerned, it is priced by the reproduction acquisition price, 13) and if a donation over EUR 2,500 is concerned, it is priced according to an expert opinion,”.

16. In Article 23 (2) (c), Point 4 shall be added reading:

“4. designation of other performance for free than pursuant to Paragraph 3 (a), (b) or (c) and its pricing pursuant to a special regulation 13) proving that the price declared in the contract is comparable with the usual price,”.

17. In Article 23 (2), after Subparagraph (c), new Subparagraphs (d) and (e) shall be added reading:

“d) quantification of the difference occurred in accepting the other performance for free pursuant to Paragraph 3 (d) or (e),

e) the difference between the usual price of the donation and the charged price,”.

The current Subparagraphs (d) and (e) shall be designated as (f) and (g).

18. In Article 23 (2) (g), the text after the semicolon shall be omitted and the semicolon shall be replaced by comma.

19. In Article 23, paragraph 2 shall be supplemented with subparagraph (h) reading:

“h) the signature of the statutory body of the party; if a donation amounting to maximum EUR 500 is concerned, the contract of donation may be signed by an authorised representative of the party.”.

20. Article 23 shall be supplemented with paragraphs 6 to 8 reading:

“(6) The party shall be obliged to prove that the value posted in accounting on the acceptance of other performance for free is comparable with the usual price.

(7) Records of donations shall contain

a) identification data on the donor including the name, surname, and address of permanent residence, if a natural person is concerned; for a natural person - entrepreneur, also the business name, and for a legal person, the name or business name and registered office,

b) data on the donation pursuant to paragraph 2 (c),

c) place and date of conclusion of the contract of donation,

d) data on the value of the donation pursuant to the contract of donation,

e) date of acceptance of the donation,

f) the number of the donor’s payment account kept by the bank for a monetary donation,

- g) the number of the party's payment account kept by the bank for a monetary donation,
- h) the statement of the donor that they are not a person pursuant to Article 24 (1).

(8) Records of other performances for free shall contain

- a) identification data on the provider of other performance for free including the name, surname, and residence, if a natural person is concerned; for a natural person - entrepreneur, also the business name, and for a legal person, the name or business name and registered office,
- b) description of other performance for free,
- c) place and date of conclusion of the contract of other performance for free,
- d) data on the value of other performance for free pursuant to the contract of other performance for free,
- e) quantification of the difference occurred in accepting the other performance for free pursuant to Paragraph 3 (d) or (e),
- f) date of acceptance of other performance for free,
- g) the statement of the provider of other performance for free that they are not a person pursuant to Article 24 (1).".

21. In Article 24 (1) (f), the words "not being the citizen" shall be replaced by the words "not permanently residing in the territory of the Slovak Republic".

22. In Article 24 (1) (g), the words "if its majority owner is not a citizen or legal person based in the territory of the Slovak Republic, except for a political party, grouping of political parties or legal persons, whose founder or majority owner is a political party," shall be omitted.

23. Article 24 (2) shall read as follows:

"(2) The party may accept a monetary donation only if it is transferred in the form of cashless payment transaction. If the statement of account does not prove who the donor of the monetary donation is, the party shall be obliged to return such monetary donation within 30 days to the account, from which the financial donation was remitted. If such account does not exist, the party shall be obliged to notify the fact to the Ministry of Finance without undue delay and to remit the monetary donation to the income account of the State Budget. Such monetary donation shall be considered income of the State Budget. The Ministry of Finance shall notify the party without undue delay of the data necessary for remitting the monetary donation."

24. Article 26 (1) and (2) shall read as follows:

"(1) The party, which during elections to the National Council of the Slovak Republic obtains more than 3% of the total number of votes validly cast, shall receive from the Ministry of Finance a contribution for each such vote from the State Budget of the Slovak Republic amounting to 1% of the average monthly nominal wage of an employee in the economy of the Slovak Republic published by the Office for the calendar year preceding the calendar year, in which elections to the National Council of the Slovak Republic take place.

(2) The contribution for votes shall be paid by the Ministry of Finance to the party after the notification of data on the numbers of votes validly cast for individual parties and coalitions of parties

- a) within 30 days from the submission of the final report 26a) unless any deficiencies of the final

report are found or

b) within 30 days after the elimination of deficiencies of the final report. 26a)".

The footnote to reference 26a shall read as follows:

"26a) Article 4 of Act No. 181/2014 Coll. on election campaign and on the amendment to Act No. 85/2005 Coll. on political parties and political movements as amended."

25. In Article 26 (4), Article 27 (4) and Article 28 (3), the words "interim report or" shall be omitted.

26. Articles 30 and 31 including the titles shall read:

**"Article 30
Annual Report**

(1) The party is obliged to prepare an Annual Report for the previous calendar year. The party shall deliver the Annual Report for the previous calendar year to the State Commission for Elections and Control of Funding of Political Parties (hereinafter the "State Commission") every year no later than by 30 April in paper form and in electronic form. The Annual Report is public. The State Commission shall publish Annual Reports of parties at its website and it shall save them in the same format in the public part of the register of financial statements 26b) no later than by 31 July for ten years from the date of publishing. The personal ID numbers are not part of published or disclosed data. The State Commission shall submit information on Annual Reports to the National Council of the Slovak Republic by 31 August.

(2) The Annual Report shall contain

- a) financial statements verified by the auditor,
- b) information on the financial situation of the party for at least two immediately preceding accounting periods,
- c) information on special-importance events, 13) which occurred after the end of the financial period, for which the Annual Report is prepared,
- d) information on the proposed profit distribution or loss settlement,
- e) summary of party's income structured pursuant to Article 22 (1),
- f) special records of income from loans or credits pursuant to Article 22 (2),
- g) special records of donations and other free performances pursuant to Article 22 (3),
- h) confirmation of the tax authority, health insurance company and Social Insurance Agency that as at 31 December of the respective year, the party has no arrears of taxes or arrears of premium for health insurance or arrears of premium for social insurance and mandatory contributions to old-age pension saving,
- i) the number of party members as at 31 December of the year, for which the Annual Report is submitted,
- j) the sum of collected membership fees and special records of membership fees pursuant to Article 22 (4), whose sum of fees for the accounting period was higher than two times the minimum wage for an employee remunerated by monthly wage, which will be specified for the respective accounting period,

k) the summary of overdue liabilities,

l) financial statements of a business company, which was established by the party or which became its sole partner for the accounting period, for which the Annual Report is prepared,

m) the summary of costs spent on the election campaign for individual types of elections, which took place in the respective year structured pursuant to a special regulation, 26c)

n) auditor's report on the annual financial statements, auditor's report supplement on the consistency of the Annual Report with the financial statements, and the report on the compliance of party's management with this Act and special regulation. 26c)

(3) The auditor pursuant to Paragraph 2 (a) is determined by lot by the Slovak Chamber of Auditors from the list of auditors. 27) Drawing lots must take place no later than on 28 February in the respective year in the presence of at least two members of the State Commission. The Slovak Chamber of Auditors shall draw lots for the auditors, who will declare in advance that they have no conflict of interests regarding the audit in the parties. The party shall be obliged to enter into a contract on audit with the auditor determined by lot.

(4) In addition to the financial statements pursuant to Paragraph 2 (a), the auditor shall also verify the compliance of the Annual Report with the financial statements for the same accounting period and issue the auditor's report supplement on the consistency of the Annual Report with the financial statements. It shall review the party's management compliance with this Act and issue a report on the compliance of party's management with this Act and special regulation. 26c)

(5) The auditor verifying the financial statements pursuant to Paragraph 2 (a) shall be entitled to request from the statutory body of the party all the necessary documents and information necessary for the audit.

(6) If the Annual Report does not contain data pursuant to Paragraph, if the data are not complete or true or if other violation of the Act is found based on the Annual Report, the State Commission shall call upon the party to eliminate the deficiencies within the time limit specified, no later than by 30 June.

(7) If the party fails to eliminate the deficiencies within the time limit pursuant to Paragraph 6, the Ministry of Finance shall suspend the payment of contribution for activity and contribution for mandate until the deficiencies are eliminated. If the party eliminates the deficiencies of the Annual Report within the specified time limit, the Ministry of Finance shall also remit to the party the contribution for activity and contribution for mandate additionally for the period of payment suspension reduced by 10%. The Ministry of Finance of the Slovak Republic shall act based on a notice from the State Commission.

(8) If the party fails to submit the Annual Report to the State Commission within the time limit pursuant to Paragraph 1 for two consecutive accounting periods or if the party fails to submit the Annual Report even after the call pursuant to Paragraph 6 for two consecutive accounting periods, based on a notice from the State Commission, the Ministry shall record this party in the register of parties with an appendix "in liquidation". On the date of record, the party shall enter into liquidation and it shall be able to perform of competence related to the dissolution of the party.

(9) If the party is recorded in the register of parties with an appendix "in liquidation" pursuant to Paragraph 8, it shall be obliged, within 30 days from the date of notice of the Ministry that it has been recorded in the register of parties with an appendix "in liquidation", to appoint a liquidator and notify the Ministry of their name, surname, personal ID number and address of permanent residence; if it fails to notify the data within 15 days after the expiry of the 30-day time limit, the Ministry shall register as liquidator the statutory body of the party, and if the party has

not statutory body, the Ministry shall register the authorised representative as liquidator.

(10) The party that has entered into liquidation and the party, which has completed liquidation and will be erased from the register,

a) need not prepare the Annual Report for the accounting period ending on the day before the party's entry into liquidation or before the day, on which the bankruptcy was declared on the party's assets, and

b) need not have the audited financial statements, verification of compliance of the Annual Report with the financial statements or the report on compliance of the management of the party with this Act.

Article 31

Administrative Delinquencies

(1) The Ministry shall impose a penalty upon the party amounting to EUR 600 to EUR 3,500 if the party fails to submit to the Ministry, within the time limit pursuant to Article 9 (1), Article 10 (1) and Article 11 (1), a proposal for the change of data registered in the register of parties, and within the time limit pursuant to Article 12 (2), a proposal for the registration of new statutes in the register of parties.

(2) The State Commission shall impose a penalty of EUR 3,500 upon the party if the party fails to submit the Annual Report within the time limit pursuant to Article 30 (l).

(3) The State Commission shall impose a penalty of EUR 200 to EUR 2,000 upon the party if the party fails to eliminate the found deficiencies within the time limit pursuant to Article 30 (6).

(4) The State Commission shall impose a penalty of EUR 5,000 upon the party if the party fails to fulfil the duty pursuant to Article 22 (5).

(5) The State Commission shall impose a penalty upon the party amounting to two-times the income from the donation or other performance for free, if the party receives the donation or other performance for free in conflict with this Act.

(6) The State Commission shall impose a penalty of EUR 5,000 upon the legal person that fails to fulfil the duty pursuant to Article 31a.

(7) The penalties pursuant to Paragraphs 1 to 6 can be imposed within two years from the day, on which the Ministry or State Commission learnt of the violation of the Act, however, no later than within three years from the day of violation of the Act.

(8) When imposing a penalty and making decision on its amount, the severity, way of conduct and duration of the unlawful condition shall be taken into account.

(9) A legal remedy against the decision of the State Commission can be lodged with the court."

The footnotes to references 26b and 26c shall read as follows:

"26b) Article 23 of Act No. 431/2002 Coll. as amended.

26c) Article 3 (8) of Act No. 181/2014 Coll."

27. Articles 31a and 31b shall be added after Article 31 and including the titles, they shall read as follows:

"Article 31a
Notice of Contribution Provision to the Party

(1) The person that provides in a calendar year a donation or other performance for free to the party with the value exceeding EUR 5,000 shall be obliged to notify the fact to the State Commission no later than by 31 January of the next year in the form, whose sample shall be published by the State Commission at its website.

(2) In the notice, the person pursuant to Paragraph 1 shall provide

a) identification data including the name, surname, and address of permanent residence, if a natural person is concerned; for a natural person - entrepreneur, also the business name,

b) name or business name and registered office for a legal person.

(3) If the State Commission detects the violation of duties pursuant to Paragraphs 1 and 2, it shall notify it to the District Court competent according to the place of residence of the natural person.

Article 31b
Delinquency

(1) A delinquency is committed by a person, who fails to fulfil the duty pursuant to Article 31a.

(2) For a delinquency pursuant to Paragraph 1, the District Court shall impose a penalty of EUR 5,000.

(3) Delinquencies and discussing them shall be governed by the general regulation on delinquencies.”.

28. Article 34c shall be added after Article 34b and including the title, it shall read as follows:

"Article 34c
Transitional Provision to Amendment Effective from 1 July 2015

(1) Parties shall submit the Annual Report for 2015 pursuant to the rules effective from 1 July 2015.

(2) The first notice pursuant to Article 31a for 2015 shall be submitted by 31 January 2016.

(3) The proceedings for imposing sanctions commenced till 30 June 2015 shall be finished pursuant to the regulations effective till 30 June 2015.”.

Section III

This Act shall come into effect on the date of promulgation except for Section I and Section II Points 5, 7, 24 to 28, which shall come into effect on 1 July 2015.

Act No. 125/2016 Coll. came into effect on 1 July 2016.

Act No. 69/2017 Coll. came into effect on 31 March 2017.

Act No. 344/2018 Coll. came into effect on 1 January 2019.

Andrej Kiska m.p.

Pavol Paška m.p.

Robert Fico m.p.

- 1) Act No. 180/2014 Coll. on conditions for the exercise of the right to vote and on the amendment to certain acts.
- 2) Act No. 85/2005 Coll. on political parties and political movements as amended.
- 3) Article 22, Article 23 and Article 24 (1) of Act No. 85/2005 Coll. as amended.
- 4) Article 32 (10) of Act No. 308/2000 Coll. on broadcasting and retransmission and on the amendment to Act No. 195/2000 Coll. on telecommunications as amended.
- 5) Article 20 (3) and (4) (b) to (d) of Act No. 85/2005 Coll.
- 6) Act No. 283/2002 Coll. on reimbursement of travel expenses as amended.
- 7) Article 23 (7) and (8) of Act No. 85/2005 Coll.
- 8) Act No. 431/2002 Coll. on accounting as amended.
- 9) Article 8 to 13 of Act No. 10/1996 Coll. on control in State administration as amended.
- 10) Article 2 (1) (b) of Act No. 308/2000 Coll.
- 11) Articles 4 and 5 of Act No. 308/2000 Coll. as amended by Act No. 498/2009 Coll.
- 12) Article 3 (1) to (3) of Act No. 220/2007 Coll. on digital broadcasting of programme services and provision of other content services through digital transmission and on the amendment to certain acts (Act on Digital Broadcasting) as amended.
- 13) Articles 36 and 37 of Act No. 308/2000 Coll. as amended.
- 14) Article 16, Articles 64 to 67 of Act No. 308/2000 Coll. as amended.