

**LAW No. 334
of 17 July 2006**

**on the financing of the activity of political
parties and of the electoral campaigns**

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CHAPTER I General provisions

Article 1. - (1) This law regulates the financing of the activity of political parties and of the electoral campaigns, as well as the control of the financing of the activity of political parties and of the electoral campaigns.

(2) The financing of the activity of political parties and of the electoral campaigns relies on the following principles:

- a) the principle of legality;
- b) the principle of equal opportunities;
- c) the principle of the transparency of the income and expenses;
- d) the principle of the independence of political parties and candidates with respect to the financiers;
- e) the principle of the integrity of political and electoral competition.

Article 2. - Political parties may own, in accordance with the law, movable and immovable assets which are necessary to carry out their specific activity.

Article 3. - (1) Political parties may be financed from the following sources:

- a) membership fees paid by the party members;
- b) donations, legacies and other gifts;
- c) income from their own activities, according to Article 16;
- d) subsidies from the state budget;
- e) money loans from natural and legal persons.

(2) Political parties may only take money loans pursuant to authentic notarial acts, failing which the loans shall be declared null and void, accompanied by delivery-receipt documents; the relevant contract shall state the repayment details and period.

(3) The repayment period provided for in paragraph (2) may not exceed 3 years.

(4) Money loans may only be taken and repaid through bank transfer.

(5) Money loans that have not been repaid within the period provided for in paragraph (3) may be established as donations subject to the parties' agreement and provided that the donation ceiling provided for in Article 6 paragraph (1) for that year was not reached, up to the amount of such ceiling.

(6) Loans whose amount exceeds that of 100 basic national gross minimum wages shall be subject to the publication conditions provided for in Article 13.

(7) Political parties, political or electoral alliances and independent candidates are prohibited from granting loans to natural or legal persons.

(8) Political parties and their territorial organisations, including those established in the Bucharest municipality districts, shall be required to organise their own accounting system, in accordance with the applicable accounting regulations.

(9) Political parties and their territorial organisations shall perform their collection and payment operations through bank accounts in RON and foreign currency, opened with banks based in Romania, and in cash according to law.

(10) The income derived from the activities provided for in paragraph (1) point c) shall be exempt from taxes and duties.

Article 4. - The efficiency and appropriateness of the expenses incurred by political parties, political alliances and organisations of citizens belonging to national minorities shall be decided by their management bodies, according to their statute.

CHAPTER II Private financing

Section 1 Membership fees

Article 5. - (1) The amount of the membership fees, their distribution and use shall be laid down in decisions made by the political party, according to its statute.

(2) No ceiling shall be applied to the total income derived from membership fees.

(3) The sum of the membership fees paid in the course of one year by a party member may not exceed 48 national gross minimum wages. The basic national gross minimum wage used as reference shall be the one valid on 1 January of that year.

(4) Political parties shall be required to publish, in the Official Gazette of Romania, Part I, by 30 April of next year, the total amount of the income from membership fees obtained by them during the previous tax year, as well as the list of party members who paid, during the previous tax year, membership fees totalling more than 10 national gross minimum wages.

(5) The list stipulated under paragraph (4) shall include the following elements: the surname and first name of the party member, the citizenship, the amount and the date on which the membership fee was paid.

Section 2 Donations

Article 6. - (1) Donations received by a political party in the course of one tax year may not exceed 0.025% of the income provided for in the state budget for the year at issue.

(2) Donations received from a natural person in the course of one year may be up to 200 basic gross national minimum

wages, at the amount valid on 1 January of the year at issue.

(3) Donations received from a legal person in the course of one year may be up to 500 basic gross national minimum wages, at the amount valid on 1 January of the year at issue.

(4) The total sum of the donations made by legal persons directly or indirectly controlled by another person or by a group of natural or legal persons may not exceed the limits provided for in paragraphs (2) and (3).

(5) The market value of the movable and immovable assets donated to the party and of the services provided to it free of charge shall be included in the amount of the donations, within the limits provided for in paragraphs (1), (2) and (3).

(6) The assets and services referred to in paragraph (5) shall be valued by certified valuers pursuant to Government Ordinance No. 24/2011 on certain measures in the field of property valuation, approved as amended by Law No. 99/2013, as subsequently amended and supplemented.

(7) Legal persons whose debts to the state budget, the social security budget or the local budgets, on the donation date, have been due for more than 60 days, shall be forbidden to make donations to political parties, except when the sums to be recovered by them exceed their own debt.

(8) Upon donation, the political party shall request the legal person donor to submit a statement on its own account regarding its compliance with the requirement provided for in paragraph (7).

(9) Political parties shall not accept, directly or indirectly, donations of tangible assets, amounts of money or free-of-charge services which are made, given or supplied with the manifest purpose of gaining an economic or political advantage or in breach of the provisions of paragraph (8).

Article 7. - (1) The amounts of money received by a political party as loans in the course of one tax year may not exceed 0.025% of the income provided for in the state budget for that year.

(2) The amounts of money received by a political party as loans from a natural person in the course of one year may be up to 200 basic national gross minimum wages, based on the wage amount valid on 1 January of that year.

(3) The amounts of money received by a political party as loans from a legal person in the course of one year may be up to 500 basic national gross minimum wages, based on the wage amount valid on 1 January of that year.

(4) The total amount of the amounts of money lent to political parties by legal persons controlled directly or indirectly by another person or by a group of natural or legal persons may not exceed the limits provided for in paragraphs (1) - (3).

(5) The provisions of Article 6 paragraphs (7) - (9), as well as of Article 14 paragraphs (1) - (3), shall apply accordingly.

Article 8. (1) Donations of buildings intended to serve as political party headquarters shall be exempt from the requirements provided under Article 6 paragraphs (2), (3), (4) and (5).

(2) Donations of money made in order to acquire buildings intended to serve as political party headquarters shall be exempt from the conditions provided for in Article 6 paragraphs (2), (3), (4) and (5).

(3) Political parties shall perform the task provided for in paragraph (2) within the time period and in observance of the conditions provided in the donation agreement.

(4) The time period for carrying out the task provided for in paragraph (3) may not exceed 2 years.

(5) Non-compliance with the time period provided for in paragraph (4) shall entail the revocation of the exceptions stipulated in paragraphs (1) and (2).

Article 9. Donations of money whose amount exceeds 10 basic national gross minimum wages shall be exclusively performed through bank accounts.

Article 10. - Price discounts exceeding 20% of the amount of the goods or services offered to political parties and independent candidates shall be deemed to be donations and shall be entered separately in the accounting records of the party or the independent candidate, according to the rules issued by the Ministry of Public Finance.

Article 11. - (1) When receiving the donation, it is compulsory to check and enter the donor's identity, regardless of the public or confidential nature thereof.

(2) Upon the donor's written request, its identity shall remain confidential if the donation is within the limit of the annual amount of 10 basic national gross minimum wages.

(3) The total amount received by a political party as confidential donations may not exceed the equivalent of 0.006% of the income provided for in the state budget for that year.

Article 12. - (1) All donations, including the confidential ones, shall be adequately entered and emphasized in the accounting documents, specifying the date on which they were made and other information enabling the identification of the financing sources and of the donors.

(2) Donations of goods and services provided free of charge shall be reflected in the accounting books at their market value upon donation.

(3) Activities carried out on a voluntary basis according to law shall not be deemed to be donations.

Article 13. (1) Political parties shall publish in the Official Gazette of Romania, Part I, the list of natural and legal persons who made, during the previous tax year, donations whose cumulated amount exceeds 10 basic national gross minimum wages, the list of natural and legal persons who granted loans whose amount exceeds 100 basic national gross minimum wages, as well as the total sum of the confidential donations or the total sum of the loans amounting to less than 100 basic national gross minimum wages received, by 30 April of next year.

(2) The list provided for in paragraph (1) shall contain the following elements:

a) for natural persons: the donor or the lender's surname and first name, the citizenship, the amount, the nature of the donation or loan and the date on which such donation or loan was made. In the case of loans, their repayment period shall also be stated;

b) for legal persons: the name, the headquarters, the nationality, the sole registration code, the value, the nature of the donation or of the loan and the date on which such donation or loan was made. In the case of loans, their repayment period shall also be stated.

Article 14. (1) The use of the financial, human and technical resources belonging to public institutions, autonomous regies, national companies, companies regulated by Company Law No. 31/1990, as republished, with subsequent amendments and supplements, or to credit institutions in which the state or the administrative-territorial units are majority shareholders, to support the activity of political parties or their electoral campaigns, other than as provided by the electoral laws, is prohibited.

(2) Political parties may not accept donations or services provided free of charge from a public authority or institution, an autonomous regie, a national company, a company regulated by Law No. 31/1990, as republished, with subsequent amendments and supplements, or from a credit institution in which the state holds a majority or a full stake.

(3) The acceptance of donations from a trade union or a religious cult, regardless of the nature thereof, is prohibited.

(4) The sums received in breach of the provisions of paragraphs (2) and (3) shall be confiscated and shall be entered as income to the state budget.

(5) The provisions of paragraphs (1) - (4) shall apply accordingly to the political alliances, electoral alliances, as well as the independent candidates.

(6) The provisions of paragraphs (1) - (4) shall apply accordingly to the organisations of citizens belonging to national minorities, in order to finance the electoral campaigns.

Article 15. (1) The acceptance of donations from other states or foreign organisations, as well as from natural persons devoid of Romanian citizenship or from legal persons of a different nationality than Romanian is prohibited, except for those received from the citizens of the Member States of the European Union who are domiciled in Romania and hold the capacity as member of the political party to which they granted the donation.

(2) An exception to the provisions of paragraph (1) shall be the donations consisting of tangible assets necessary for the political activity, but which are not electoral propaganda material, which have been received from international political organisations of which that political party is an affiliate or from political parties or political organisations engaged in political collaboration. Propaganda material may also be received when it is solely used during the electoral campaign for the election of Romania's representatives to the European Parliament.

(3) The donations provided for in paragraph (2) shall be published in the Official Gazette of Romania, Part I, by 30 April of next year.

(4) The donations provided for in paragraph (2) shall be exempt from customs fees, except for the means of transport.

(5) The sums received in breach of the provisions of paragraph (1) shall be confiscated and shall be entered as income to the state budget.

Section 3

Other sources of income

Article 16. - (1) Political parties may not carry out activities specific to the companies regulated by Law No. 31/1990, as republished, with subsequent amendments and supplements. By way of exception, political parties may obtain income from the following activities:

a) editing, making and disseminating publications or other political propaganda and political culture material of their own;

b) selling tickets, charging participation fees or the like in various cultural or sports events, as well as in meetings and seminars on political, economic or social topics;

c) selling printed matter bearing the signs of the political party in question;

d) provision of services by the party members with a view to organising the events referred to in point b);

e) letting of premises owned by them, without causing prejudice to public morals, public order or the image of the political party in question;

f) disposal of land and buildings from the party's assets, but not earlier than at least 10 years after being entered as that party's assets, except for political parties in the course of dissolution. The 10-year period shall not apply to inherited real estate property;

g) disposal of movable property from the party's assets, unless such movable property consists in production or trading activities or in service supplies;

h) subletting the premises received according to the provisions of Article 26 paragraphs (1) - (3) for the organisation of parliamentary offices, provided that the amount of the monthly rent set out in the sublease agreement will not exceed the amount of the monthly rent stipulated in the lease agreement concluded with the local authorities. The maintenance expenses related to the sublet premises shall be incurred by the parliamentary office, according to the agreement concluded;

i) issuing booklets/cards attesting to the membership of that political party.

(2) Political parties may obtain income from bank interests.

(3) By 30 April of each year, political parties shall be required to publish in the Official Gazette of Romania, Part I, the total amounts of the income obtained during the previous tax year from the activities referred to in paragraph (1) and from the sources referred to in paragraph (2), broken down by type of activity and source.

Article 17. - (1) If a party is associated, according to law, with a nonpolitical organisation, the financial contribution of the latter to that form of association may not exceed, during one tax year, the amount of 500 basic national gross minimum wages at the wage amount valid on 1 January of that year.

(2) The total financial contribution to forms of association with nonpolitical organisations may not exceed, during one year, the equivalent of 0.006% of the income stipulated in the state budget for that year.

(3) The sums received in breach of the provisions of paragraphs (1) and (2) shall be confiscated and entered as income to the state budget.

(4) Political parties shall publish in the Official Gazette of Romania, Part I, the total amount of the sums referred to in paragraph (1), by 30 April of next year.

CHAPTER III

Public financing

Subsidies from the state budget

Article 18. - (1) Political parties shall receive yearly a subsidy from the state budget, according to law.

(2) The sum allocated yearly to political parties from the state budget shall range between a minimum of 0.01% and a maximum of 0.04% of the gross domestic product. For political parties promoting women on the election rolls, on eligible seats, the sum allocated from the state budget shall be increased by twice the ratio of the number of mandates obtained by women candidates at the elections.

(3) The subsidy from the state budget shall be granted depending on the following criteria:

- a) the number of votes received at the general elections for the Chamber of Deputies and the Senate;
- b) the number of votes received at the general elections for the local public administration authorities.

(4) In the case of political or electoral alliances, the subsidy shall be divided between the alliance members according to the number of mandates obtained.

Article 19. - 75% of the annual budget allocated to political parties shall be distributed to political parties in proportion to the number of votes received at the parliamentary elections, namely the average of the valid votes cast for the Chamber of Deputies and the Senate, if they reached the electoral threshold.

Article 20. - 25% of the annual budget allocated to political parties shall be distributed to the political parties in proportion to the number of the valid votes cast, received at the local elections for the election of county councillors and Bucharest municipality councillors, if they obtained at least 50 mandates for county councillors and Bucharest municipality councillors.

Article 21. - At the request of the Permanent Electoral Authority, the Central Electoral Bureau shall be required to notify the number of votes obtained by the political parties, political alliances and electoral alliances at the general parliamentary elections, the number of candidates declared elected, broken down by party and/or alliance and by gender, the number of votes obtained by the political parties, political alliances and electoral alliances at the general elections for electing the county and Bucharest municipality councillors, as well as the number of candidates declared elected at these elections broken down by party and/or alliance and by gender.

Article 22. - Political organisations and political or electoral alliances shall receive subsidies from the state budget on an annual basis, in accordance with the law.

Article 23. (1) The subsidy from the state budget shall be paid monthly, through the budget of the Permanent Electoral Authority, into a special account opened by each political party. The income from subsidies from the state budget shall be reflected separately in the accounting records of the political parties.

(2) A specialised department in charge of allocating the subsidy from the state budget shall be established within the Permanent Electoral Authority.

(3) The subsidies from the state budget granted to political parties shall be deemed as special purpose accounts and shall not be subject to enforcement through attachment of bank accounts.

Article 24. - (1) The subsidy from the state budget may be temporarily suspended, by decision of the Permanent Electoral Authority, for infringement of the provisions of Article 3 paragraph (8), Article 5 paragraph (4), Article 13, Article 15 paragraph (3), Article 16 paragraph (1), Article 17 paragraph (4), Article 25 paragraphs (1) and (2), Article 50, and Article 51 paragraph (2), until the legal requirements have been met.

(2) The Permanent Electoral Authority shall notify the political party in advance of the irregularities established and the period for the remedy thereof.

(3) The period granted to political parties for remedying any irregularities may not exceed 15 days.

(4) The decision to temporarily suspend the monthly tranches from the state budget may be challenged within 15 days of notification at the competent administrative court, which shall give a judgment within 15 days after the case has been referred to it. The court's judgment shall be final.

(5) During its temporary suspension, the subsidy shall be kept by the Permanent Electoral Authority as deposit withdrawals, until the issuance of a final court ruling, while such shall not be subject to refund to the state budget at the end of the year.

(6) Within 10 days of the political party's written notification informing that the irregularities established have been remedied, the Permanent Electoral Authority shall rule on cancelling the suspension of the monthly tranches.

Article 25. - (1) The income from the state budget subsidies may be used for the following purposes:

- a) expenses on supplies and materials for the maintenance and operation of the headquarters;
- b) staff expenses;
- c) media and propaganda expenses;
- d) expenses for the organisation of political activities;
- e) expenses for trips in the country and abroad;
- f) telecommunications expenses;
- g) expenses for delegations abroad;
- h) expenses for the membership fees owed to the international political organisations to which the political party is affiliated;
- i) investments in movable and immovable assets, necessary for the activity of those political parties;
- j) entertainment expenses;
- k) expenses with office supplies;
- l) expenses with bank fees;
- m) expenses with the rents and utilities for the headquarters;
- n) expenses with the maintenance and repair of motor vehicles;
- o) expenses with insurance premiums;
- p) transport expenses;
- q) expenses with heating fuels and motor fuels;
- r) expenses with the creation and dissemination of advertising spots;
- s) expenses with political advice;
- t) expenses with legal advice;
- u) expenses with national and local opinion polls;
- v) expenses with the lawyers', bailiffs' and experts' fees;
- w) expenses with the stamp duties;

- x) expenses with the duties related to registered trademarks;
 - y) expenses with penalties.
- (2) The use of the income obtained from subsidies from the state budget for any purposes other than those provided for in paragraph (1) is prohibited.
- (3) The efficiency and appropriateness of such expenses shall be decided by the management bodies of the political parties, according to their statute and to the law.
- Article 26.** / - (1) The central and local public administration authorities may ensure premises for the central and local headquarters of political parties, as well as the corresponding land, at their motivated request.
- (2) Political parties may receive one headquarters at the most per administrative-territorial unit.
- (3) Local authorities may let the premises intended to serve as headquarters for political parties subject to the body of legal rules governing the lease of residential premises.
- (4) Political parties ceasing their activity following reorganisation, selfdissolution or dissolution under a final court ruling shall hand over to the local public administration authorities, within 30 days, the premises held by them under a lease agreement with such authorities. Owned premises shall be handed over in accordance with the law.
- (5) Within 30 days, the Bucharest Tribunal shall notify the Ministry of Regional Development and Public Administration and the Permanent Electoral Authority of the termination of the activity of that political party.
- (6) Within 15 days of receiving the notification, the Ministry of Regional Development and Public Administration shall send such decisions to the prefect's institution in all counties and in the Bucharest municipality, in order to take over the premises let by the public authorities through bailiffs, unless such premises were handed over within the legally prescribed period.
- Article 27.** - All the expenses related to telecommunications, electricity and heat, gas, water, sewage etc. incurred by a party shall be its exclusive liability and shall be paid at the fees charged for residential premises.

CHAPTER IV

Financing during the electoral campaigns

Section 1

Contributions for the electoral campaign

- Article 28.** - (1) The expenses for the electoral campaign shall observe the following conditions:
- a) to be obtained only from contributions of the candidates or of the political formations;
 - b) to be committed only after obtaining the visa of the competent financial mandatary;
 - c) to not exceed the maximum limits laid down by this law;
 - d) to be made by electoral competitors only for promoting their own candidates and electoral programmes.
- (2) Collecting electoral contributions and paying electoral expenses shall be done only through bank accounts previously notified to the Permanent Electoral Authority.
- (3) In the case of the parliamentary elections, the political parties and the independent candidates shall use a distinctive bank account for the financing of the electoral campaign for each electoral constituency in which they take part in the elections. The organisations of Romanian citizens belonging to national minorities which propose candidates solely at a national level shall open a bank account at national level.
- (4) In the case of local elections, political parties and independent candidates shall use a distinctive bank account for the financing of the electoral campaign for each county and for the Bucharest municipality, where they take part in the elections.
- (5) In the case of the elections for the European Parliament and of the elections for the President of Romania, political parties and independent candidates shall use only one bank account for the financing of the electoral campaign.
- (6) The contributions for the electoral campaign shall be deposited or transferred into the accounts provided for in paragraphs (2) - (4) solely by the candidates, by the political parties or by their financial mandataries.
- (7) Derogating from the provisions of paragraph (5), in the case of the elections for the President of Romania, the candidate nominated by a political formation may receive electoral contributions and may incur electoral expenses only by means of a distinctive bank account than the one notified by the political formation, with the adequate application of the provisions of paragraphs (2) and (6). The electoral expenses made by the candidate and the political formation that nominated him cannot exceed the limit provided for in paragraph (12) point p).
- (8) Derogating from the provisions of Article 25 paragraphs (1) and (2), the electoral campaign for the elections for the European Parliament and for the President of Romania may be funded through the incomes provided for in Article 3 paragraph (1) point d), and in this case, derogating from the provisions of paragraph (5), a distinctive bank account shall be used.
- (9) No later than 3 working days after the political formation or the candidate have committed the specific expense, as the case may be, the competent financial mandatary shall notify to the Permanent Electoral Authority the value and the destination of the expense according to Article 38 paragraph (2).
- (10) The contributions for the electoral campaign shall be deemed to be special purpose accounts and shall not be subject to enforcement.
- (11) The contributions of the candidates for their own electoral campaign or for the one of the political formation that nominated them may only come from donations received by the candidates from natural persons, from personal income or from borrowings taken from natural persons or from credit institutions.
- (12) The maximum limits of the candidates' contributions for the electoral campaign shall be the following:
- a) 60 basic national gross minimum wages for each candidate for the office of deputy or senator;
 - b) one basic national gross minimum wage for each list of candidates for the local council of the commune;
 - c) 3 basic national gross minimum wages for each list of candidates for the local council of the town;

- d) 5 basic national gross minimum wages for each list of candidates for the local council of the municipality;
- e) 30 basic national gross minimum wages for each list of candidates for the local council of the county capital municipality;
- f) 50 basic national gross minimum wages for each list of candidates for the district council of Bucharest municipality;
- g) 500 basic national gross minimum wages for each list of candidates for the General Council of Bucharest Municipality;
- h) 100 basic national gross minimum wages for each list of candidates for the county council;
- i) 5 basic national gross minimum wages for each candidate for the office of commune mayor;
- j) 7 basic national gross minimum wages for each candidate for the office of town mayor;
- k) 10 basic national gross minimum wages for each candidate for the office of municipality mayor;
- l) 50 basic national gross minimum wages for each candidate for the office of mayor of the county capital municipality;
- m) 100 basic national gross minimum wages for each candidate for the office of mayor of a Bucharest municipality district;
- n) 200 basic national gross minimum wages for each candidate for the office of president of the county council and of mayor of the Bucharest municipality;
- o) 750 basic national gross minimum wages for each candidate for the office of member in the European Parliament;
- p) 20,000 basic national gross minimum wages for each candidate for the office of President of Romania.

(13) No later than 3 working days from the date on which a sum was deposited or transferred into the bank account dedicated to the electoral campaign, the candidate or the political party, as the case may be, shall be required to hand over to the competent financial mandatory a statement indicating the source of the contribution.

(14) The competent financial mandatory shall declare to the Permanent Electoral Authority the contribution for the electoral campaign within 3 working days after the transfer into the bank account notified to the Permanent Electoral Authority.

(15) The contributions for the electoral campaign may only be deposited into the accounts notified to the Permanent Electoral Authority by the closing date of the electoral campaign.

(16) In case a minor offence shall be done as provided by this law, by infringement of the provisions of this article, the sums for the electoral expenses done by infringement of paragraph (1) shall be confiscated and shall be entered as income to the state budget.

Article 29. - The receipt by the political parties, political alliances, electoral alliances and independent candidates of any electoral propaganda material other than that provided for in Article 15 paragraph (2) is prohibited.

Article 30. (1) The political party, political alliance or the organisation of citizens belonging to national minorities may contribute to their own electoral campaign until the total limit provided for in Article 28 paragraph (12) is met, as the case may be.

(2) In addition to the electoral contributions provided for in paragraph (1), the political party, political alliance or the organisation of citizens belonging to national minorities may contribute to their own electoral campaign up to 10 basic national gross minimum wages for each candidate for deputy or senator, or up to 50 basic national gross minimum wages for each list of candidates to the county council and to the General Council of the Bucharest Municipality.

(3) Derogating from the provisions of Article 25 paragraph (1) and (2), the contributions referred to in paragraph (1) and (2) may derive from the revenue referred to in Article 3 paragraph (1) letter d), in this case, derogating from the provisions of article 28 paragraph (3) – (5), a distinctive bank account shall be used.

Article 31. - (1) No later than 5 days after the commencement of the referendum campaign, the political party, through the financial mandatory, shall open a bank account at national level in the case of the national referendum or at county/Bucharest municipality level in the case of a local referendum.

(2) The contributions intended for the referendum campaign which are deposited by the political party may only come from transfers of funds originating outside the electoral campaign.

(3) The maximum limits of the contributions intended for the referendum campaign shall be the following:

- a) 5 basic national gross minimum wages for the referendum for the dismissal of the local council or the commune mayor;
- b) 7 basic national gross minimum wages for the referendum for the dismissal of the local council or the town mayor;
- c) 10 basic national gross minimum wages for the referendum for the dismissal of the local council or the municipality mayor;
- d) 30 basic national gross minimum wages for the referendum for the dismissal of the local council or of the mayor of the county capital municipality/Bucharest municipality district;
- e) 100 basic national gross minimum wages for the referendum for the dismissal of the General Council of Bucharest Municipality or of the General Mayor of Bucharest Municipality;
- f) 100 basic national gross minimum wages for the referendum for the dismissal of the county council;
- g) 20,000 basic national gross minimum wages for the referendum for the dismissal of the President of Romania, for the referendum on matters of national interest or for the referendum on the revision of the Constitution.

(4) The provisions of Article 28 paragraphs (9) - (13) shall apply accordingly to the contributions intended for the referendum campaign.

Article 32 (1) The financing of the electoral campaign, directly or indirectly, by natural persons who are not Romanian citizens or by legal persons having a nationality other than Romanian is prohibited, with the exception that the electoral campaign may be financed by citizens of the Member States of the European Union having their domicile in Romania and holding the capacity as member of the political party to the electoral campaign of which they contribute financially.

(2) The sums thus received shall be confiscated and shall be entered as income to the state budget.

Article 33. (1) Any financing of the electoral campaign of a party, an alliance of parties or an independent candidate by a public authority, a public institution, an autonomous regie, a national company, a company regulated by Law No. 31/1990, as republished, with subsequent amendments and supplements, or a credit institution in which the state or

administrative- territorial units are majority shareholders or by companies regulated by Law No. 31/1990, as republished, with subsequent amendments and supplements, which carry out activities financed from public funds, is prohibited. The prohibition shall also apply to the companies regulated by Law No. 31/1990, as republished, with subsequent amendments and supplements, which, 12 months before the commencement of the electoral campaign, carried out activities financed from public funds.

(2) Any financing of the electoral campaign of a political party, political alliance, electoral alliance, organisation of citizens belonging to national minorities and of an independent candidate by trade unions, religious cults, associations or foundations holding Romanian or other nationality is prohibited.

(3) The sums received in breach of paragraphs (1) and (2) shall be confiscated and shall be entered as income to the state budget.

Section 2

The financial mandatary

Article 34. (1) Records of the contributions and expenses for the electoral campaign belonging to the political parties and independent candidates shall be exclusively organised by the financial mandataries.

(2) The efficiency and appropriateness of the electoral campaign expenses shall be decided by the management bodies of the political parties, according to their statute, or by the independent candidates respectively.

(3) The financial mandatary shall be appointed by the management of political parties, political alliances, organisations of Romanian citizens belonging to national minorities or by the independent candidates.

(4) A political party, political alliance, organisation of citizens belonging to national minorities or an independent candidate shall nominate a coordinating financial mandatary. If more financial mandataries are nominated then only one coordinating financial mandatary shall be appointed.

(5) The coordinating financial mandatary shall have the following duties:

a) to keep a record of the financial operations;

b) to supervise the activity of the other financial mandataries of the political party and to centralise their records;

c) to make an in-depth report on the income obtained and electoral expenses;

d) to send to the Permanent Electoral Authority the documents and reports provided for in this law, in writing and in electronic form.

(6) The financial mandatary designated along the coordinating financial mandatary shall organise the records of the financial operations carried out during the electoral campaign and check their lawfulness, at his level of appointment.

(7) The financial mandatary shall be jointly liable with the political party which appointed him for the lawfulness of the financial operations carried out during the electoral campaign and for compliance with the provisions of Articles 28 - 33.

(8) Only natural persons who are expert or licensed accountants, or legal persons offering specialised accountancy services may be appointed coordinating financial mandataries.

(9) Those political parties, political alliances and independent candidates who appointed financial mandataries who are not expert or licensed accountants shall enter into a contract for the provision of specialised assistance with licensed natural or legal persons specialised in the provision of accountancy services.

(10) The Permanent Electoral Authority may request the financial mandataries, whenever necessary, to provide additional documents or explanations.

(11) Several parties may not use the services of the same mandatary, except when they are part of the same political or electoral alliance.

(12) The financial mandatary capacity may only be acquired after official registration with the Permanent Electoral Authority, based on the mandate granted by the political party or the organisation of citizens belonging to national minorities, as well as on its consent. The registration of the financial mandatary shall be effected between the public announcement of the election date and the beginning of the electoral campaign, by publication on the web page of the Permanent Electoral Authority.

(13) On the official registration date, the coordinating financial mandatary shall receive from the Permanent Electoral Authority a unique identification code of the political party or of the independent candidate, which shall be printed on all the electoral propaganda material belonging to the political party or to the independent candidate he represents.

(14) The candidates may not be financial mandataries.

Article 34¹. - The duties of the financial mandataries may be carried out under a free-of-charge contract or a contract for consideration, as appropriate.

Article 34². - The financial mandataries registered with the Permanent Electoral Authority may be replaced at any time by the political parties, political alliances, organisations of citizens belonging to national minorities and the independent candidates who appointed them, with the adequate application of the provisions of Article 34.

Article 35. - The expenses related to the organisation and conduct of electoral operations shall be paid from the state budget or from the local or county budgets, as appropriate, in accordance with the provisions of electoral laws.

Article 36. (1) During the electoral campaign, the candidates, political parties, political alliances, electoral alliances, organisations of citizens belonging to national minorities and the citizens holding the right to vote shall be entitled to freely express their opinions, free from any discrimination, at rallies and gatherings, through direct communication with the voters, on TV, on the radio, in the printed or electronic media, and in all the other mass media.

(2) During the electoral campaign, only certain types of electoral propaganda materials may be employed, as follows:

a) electoral posters with one side having a maximum length of 500 mm and the other side having a maximum length of 350 mm; the electoral posters convening an electoral meeting shall have 400 mm on one side and 250 mm on the other side and shall be placed in the posting locations specifically indicated;

b) audio or video propaganda materials broadcast by the audiovisual media;

c) advertising in the printed media;

d) online electoral propaganda materials;

e) brochures, leaflets and other printed materials.

(3) Political parties and alliances, as well as the independent candidates who ordered the electoral propaganda materials provided for in paragraph (2) points a), c) and e) shall print thereon the following details:

a) the independent candidate's name, the name of the political party, of the electoral alliance or political alliance of which it forms part, as appropriate;

b) the name of the economic operator who made them;

c) the unique identification code provided for in Article 34 paragraph (13);

d) the print run, for the materials provided for in paragraph (2) points a) and e).

(3¹) Before broadcasting the electoral propaganda materials referred to in paragraph (2) point b), the audiovisual media shall be required to communicate the data provided for in paragraph (3) points a), b) and c).

(3²) Within 30 days from the electoral campaign closing date, the electoral competitors shall be required to transmit to the Permanent Electoral Authority a statement containing information on the description of the online electoral propaganda materials, the production, period and dissemination area thereof.

(4) The expenses related to the creation of electoral propaganda materials shall be exclusively borne by their beneficiaries: independent candidates, political parties or political alliances.

(5) The production and dissemination of electoral propaganda materials in other conditions than those provided by this law is prohibited.

(6) Political parties and alliances, as well as the independent candidates, shall be required to declare to the Permanent Electoral Authority, through the financial mandatary, the number of electoral propaganda materials produced and used, broken down into categories, no later than 15 days from the date of the elections or of the referendum.

(7) Any written, audio or video material that fulfils the following conditions shall be deemed to be an electoral propaganda material:

a) it directly concerns a candidate or a political party who participates in the elections or in the referendum, clearly identified;

b) it is used during the electoral campaign period, as laid down in the laws on the organisation of the elections;

c) serves an electoral purpose and is intended for the general public;

d) goes beyond the limits of a journalistic activity of public information.

Section 3

The maximum limits of the expenses

Article 37. - The maximum limits of the expenses that may be incurred during the electoral campaign or for the referendum in a national constituency or in a county/Bucharest municipality/foreign constituency, as applicable, shall fall within the maximum limits of the contributions for the electoral campaign or for the referendum, as laid down in Articles 28 - 31 for the relevant constituency.

Article 38. (1) Expenses related to the electoral campaign may be incurred solely through the accounts provided for in Articles 28 and 30.

(2) The contributions for the electoral campaign may only be used for the following purposes:

a) expenses for the production and dissemination of electoral propaganda materials on the radio, on TV and in printed publications, amounting to maximum 40% of the total expenses that may be incurred during the electoral campaign;

b) expenses for the production and online dissemination of electoral propaganda materials, amounting to a maximum of 30% of the total expenses that may be incurred during the electoral campaign;

c) sociological research expenses, amounting to maximum 30% of the total expenses that may be incurred during the electoral campaign;

d) expenses for electoral posters, amounting to a maximum of 20% of the total expenses that may be incurred during the electoral campaign;

e) expenses for brochures, leaflets and other printed electoral propaganda materials, amounting to a maximum of 50% of the total expenses that may be incurred during the electoral campaign;

f) expenses for telephone and internet services, for transport and accommodation of candidates, for food, accommodation and transport of volunteers and of the members of the political party, expenses for the rental of premises and equipment, expenses for the apparel of volunteers and of the members of the political party imprinted with the appellation or name of the electoral competitor, entertainment expenses intended for the organisation of electoral events, for legal assistance and other types of consultancy, as well as for remunerating the services provided by the financial mandataries, amounting to a maximum of 30% of the total expenses that may be incurred during the electoral campaign;

g) expenses for bank fees.

(3) The provisions of paragraphs (1) and (2) shall apply accordingly to the campaign for the referendum.

(4) The sums received from the candidates proposed for the elections by a political party shall be deemed as donations and shall be governed accordingly by the provisions of this law.

(5) The provisions of this law shall not apply to the deposits established in view of the submission of candidatures for the office of deputy or senator, provided for in Article 29 paragraphs (5) - (7) of Law No. 35/2008 for the election to the Chamber of Deputies and the Senate, and for the amendment and completion of Law No. 67/2004 for the election of local public administration authorities, of Local public administration Law No. 215/2001, and of Law No. 393/2004 on the Statute of local electees, with the subsequent amendments and supplements.

Article 39. - (1) Within 15 days from the election date, political parties, political alliances and independent candidates shall submit to the Permanent Electoral Authority a statement on compliance with the limits provided for in Article 37.

(2) The sums exceeding the limits provided for in Article 37 shall be entered as income to the state budget.

Article 40. When a candidate is proposed for several offices during an electoral campaign, the expenses that may be incurred shall be set at the highest maximum limit, according to Article 37.

Article 41. - The income and expenses of electoral alliances shall only be collected and made respectively by the

political parties, political alliances or the organisations of citizens belonging to national minorities which make them up.

Article 41¹. - During the electoral campaign related to a new round of voting within the same electoral process, the limits of electoral contributions and electoral expenses shall be reduced by half.

CHAPTER V

Control of the financing of political parties and of the electoral campaigns

Article 42. - (1) The Permanent Electoral Authority is authorised to control the observance of the legal provisions on the income and expenses of political parties, political or electoral alliances, independent candidates, as well as the lawfulness of the financing of the electoral campaign.

(2) Control of the subsidies granted from the state budget shall also be concurrently conducted by the Court of Accounts, in accordance with the provisions of Law No. 94/1992 on the organisation and operation of the Court of Accounts, as republished and as subsequently amended and supplemented.

(2¹) The Court of Accounts may control the lawfulness of the process of validation of the sums to be refunded to the electoral competitors within 30 days from the completion date of the control of the electoral campaign financing conducted by the Permanent Electoral Authority.

(2²) If the Court of Accounts conducts the control referred to in paragraph (2¹), the periods for the reimbursement of electoral expenses provided for in Article 48 shall be extended by 30 days.

(3) Within 60 days from the entry into force hereof, the Department for the Control of the Financing of Political Parties and of the Electoral Campaigns shall be set up within the Permanent Electoral Authority, by supplementing the current staff establishment plan.

(4) The entire staff of the Permanent Electoral Authority shall benefit from a complex work bonus amounting to 30% applied to the basic gross monthly wage. The provisions of Article 22 paragraph (1) of Framework Law No. 284/2010 on uniform salaries for the staff paid from public funds, with subsequent amendments and supplements, shall not apply to the Permanent Electoral Authority.

(5) The documents and information which may be requested by the Permanent Electoral Authority may exclusively concern those activities carried out by the political parties that are related to obtaining income and making expenses.

(6) Any person may be appointed general director of the Department for the Control of the Financing of Political Parties and Electoral Campaigns provided that he/she cumulatively meets the following conditions:

a) may hold an office, subject to the requirements laid down in points a) - h) of Article 12 paragraph (1) of Law No. 7/2006 on the statute of parliamentary officials, as republished, with subsequent amendments and supplements;

b) has academic education in the field of economic or legal sciences;

c) has not been a member of a political party in the last 5 years.

(7) The competition for the office provided for in paragraph (5) shall be organised by a special 7-member commission, appointed within 30 days after the entry into force hereof, by order of the president of the Permanent Electoral Authority, which shall consist of teaching staff with an economic or legal background.

(8) The commission referred to in paragraph (7) shall lay down the regulation for the competition and shall designate the winning candidate, who shall be appointed by the president of the Permanent Electoral Authority within 15 days from such designation.

(9) The general director of the Department for the Control of the Financing of Political Parties and Electoral Campaigns shall have the following exclusive duties:

a) to organise the control of the financing of political parties;

b) to coordinate the activity of the staff subordinated to him/her;

c) to propose to the president of the Permanent Electoral Authority the application of the sanctions provided herein.

Article 43. - (1) In order to check the lawfulness of the income and expenses of the political parties, the Permanent Electoral Authority may request documents and information from the natural and legal persons who provided services, free of charge or for consideration, to the political parties, as well as from any public institution.

(2) The natural and legal persons provided for in paragraph (1) shall make available to the representatives of the Permanent Electoral Authority the documents and information requested.

(3) Political parties shall be required to allow the access of the Permanent Electoral Authority's control bodies in their headquarters.

(4) Political parties and the persons provided for in paragraph (1) shall be required to provide the Permanent Electoral Authority with all the documents and information requested by such within no more than 15 days from the date of the request.

Article 44. - (1) Yearly and whenever applied to, the Permanent Electoral Authority shall verify whether each party has complied with the legal provisions on the income and expenditure of political parties.

(2) Any person who produces evidence that the legal provisions on the financing of political parties and of the electoral campaigns have not been complied with may apply to the Permanent Electoral Authority.

(3) The annual report shall be published in the Official Gazette of Romania, Part I, and on the web page of the Permanent Electoral Authority by 30 April of next year.

(4) The Permanent Electoral Authority may control the compliance with the legal provisions on the financing of political parties and of the electoral campaigns, including when suspicions arise that the legal provisions on the financing of political parties and of the electoral campaigns have been infringed, following the applications submitted by any persons concerned or *ex officio*.

(5) Should there arise any suspicions, during the control conducted by the Permanent Electoral Authority, in relation to the compliance with the legal provisions on the financing of political parties and of the electoral campaigns, that acts of a criminal nature have been perpetrated, the Permanent Electoral Authority shall refer the matter to the criminal

investigation bodies.

(6) The outcome of each such control shall be published in the Official Gazette of Romania, Part I, and on the web page of the Permanent Electoral Authority within 45 days from the date of the control.

Article 45. - (1) The annual financial statements drawn up by the political parties which receive subsidies from the state budget shall be subject to the statutory audit conducted by statutory auditors who may be certified natural or legal persons, according to law.

(2) Within a maximum of 60 days from the audit date, the political parties referred to in paragraph (1) shall transmit to the Permanent Electoral Authority a copy of the audit report.

Article 46. - Public authorities shall be required to grant support to the Permanent Electoral Authority in conducting the control of the financing of political parties.

Article 47. - (1) Within 15 days from the election date, the coordinating financial mandataries shall be required to submit to the Permanent Electoral Authority in-depth reports on the electoral income obtained and expenses made by political parties, political alliances, electoral alliances, organisations of Romanian citizens belonging to national minorities and by the independent candidates, as well as the amount of the debts incurred following the campaign, accompanied by the statements provided for in Article 28 paragraph (13).

(2) The Permanent Electoral Authority shall ensure that the list of political parties, political alliances, electoral alliances, organisations of Romanian citizens belonging to national minorities and independent candidates who submitted the in-depth reports on the electoral income and expenses is made public, as such reports are submitted, by means of successive publications in the Official Gazette of Romania, Part I.

(3) The reports provided for in paragraphs (1) and (2), and the amount of the debts incurred following the electoral campaign shall be published by the Permanent Electoral Authority in the Official Gazette of Romania, Part I, within 60 days from the publication of the result of the elections.

(4) In the event that, on the date of submission of the in-depth report on the electoral income and expenses, the independent candidates or the political parties are in debt, they shall be required to report quarterly to the Permanent Electoral Authority on the status of the repayment of the debts incurred during the electoral campaign, until the full repayment date.

(5) The candidates declared elected shall not have their mandates validated if the in-depth report on the electoral income and expenses for each political party or independent candidate has not been submitted according to law.

Article 48. - (1) Within no more than 90 days from the date of the elections to the Chamber of Deputies and the Senate, the Permanent Electoral Authority shall reimburse to the political parties, political alliances and organisations of citizens belonging to national minorities, based on the supporting documents provided by the financial mandatary within no more than 30 days from the election date, the sums related to the expenses incurred in all the constituencies, as well as those incurred at central level, if the political party, the political alliance, the electoral alliance or the organisation of citizens belonging to the national minorities has obtained a minimum of 3% of the valid votes cast at national level, for each of the two Parliament chambers.

(2) If the political party, political alliance, organisation of citizens belonging to the national minorities participating in the elections for the Chamber of Deputies or the Senate has failed to obtain a minimum of 3% of the valid votes cast at national level, the Permanent Electoral Authority shall reimburse to them, on the basis of the supporting documents provided by the financial mandatary, only the sums related to the expenses incurred in the constituency where it obtained a minimum of 3% of the valid votes cast.

(3) No later than 90 days after the date of the elections to the European Parliament and for the President of Romania, the Permanent Electoral Authority shall reimburse to political parties, political alliances, organisations of citizens belonging to national minorities or to the independent candidates respectively, on the basis of the supporting documents provided by the financial mandatary within no more than 30 days from the election date, the sums related to the expenses incurred at national level if the political party, political alliance, electoral alliance, organisation of citizens belonging to national minorities or the independent candidate respectively has obtained a minimum of 3% of the valid votes cast at national level.

(4) Within no more than 90 days after the local elections date, the Permanent Electoral Authority shall reimburse to the political parties, political alliances, organisations of citizens belonging to national minorities, on the basis of the supporting documents provided by the financial mandatary within no more than 30 days from the election date, the sums related to the expenses incurred in all constituencies, as well as those incurred at central level if the political party, political alliance, electoral alliance or organisation of citizens belonging to national minorities has obtained a minimum of 3% of the valid votes cast by cumulating the votes cast for all of the local councils and the councils of the Bucharest municipality districts, the county councils, the General Council of Bucharest Municipality, and all the candidatures for the office of mayor or General Mayor of the Bucharest Municipality respectively.

(5) If the political party, political alliance, organisation of citizens belonging to national minorities participating in the local elections has failed to obtain a minimum of 3% of the valid votes cast as provided for in paragraph (4) at national level, the Permanent Electoral Authority shall reimburse to them, based on the supporting documents provided by the financial mandatary, only the sums related to the expenses incurred at county, Bucharest municipality district or Bucharest municipality level, where it obtained a minimum of 3% of such votes, as applicable.

(6) The sums additionally spent at central level by the political party, political alliance and organisation of citizens belonging to national minorities shall only be reimbursed if they obtained a minimum of 3% of the valid votes cast at national level.

(7) No later than 90 days after the date of the elections to the Chamber of Deputies and the Senate, the Permanent Electoral Authority shall reimburse to the independent candidates, based on the supporting documents provided by the financial mandatary within no more than 30 days from the election date, the sums related to the expenses incurred during the electoral campaign, if they obtained a minimum of 3% of the valid votes cast in the constituency where they stood as a candidate.

(8) In the case of local elections, the expenses incurred in a constituency by an independent candidate shall only be reimbursed if the candidate obtained a minimum of 3% of the valid votes cast for the position for which he/she stood as a candidate.

(9) No later than 90 days after the date of the elections for the Chamber of Deputies, the Permanent Electoral Authority

shall reimburse the sums related to the electoral campaign expenses to the organisation of citizens belonging to the national minorities which obtained one deputy mandate at national level, based on the supporting documents provided by the financial mandatary within no more than 30 days from the election date.

(10) Political parties, through their financial mandataries, shall be required to refund to the candidates, within 30 days from the date of the reimbursement by the Permanent Electoral Authority, the sums reimbursed and/or the sums not spent according to the contributions deposited by them.

(11) The following shall not be reimbursed:

- a) the sums related to the expenses exceeding the ceilings laid down in Article 37;
- b) the sums related to the expenses financed from different sources than those provided for in this law;
- c) the sums used during the electoral campaign in breach of the provisions of Article 38 paragraph (2).
- d) the sums related to the electoral expenses financed from the incomes provided for in Article 3 paragraph (1) point d).

(12) The Permanent Electoral Authority shall validate and reimburse, in observance of the ceilings laid down in Article 37 and Article 38 paragraph (2), the sums related to the expenses incurred in the constituencies, as well as those incurred at central level, ascertained to comply with the intended purposes provided for in Article 38 paragraph (2), and which are not financed from other sources than those provided by law.

(13) Electoral competitors may rectify any mismatches and/or errors in the supporting documents before completion of the control conducted by the Permanent Electoral Authority. If the errors are not rectified on its own initiative or at the request of the control authority, the sum provided in the supporting document in question shall no longer be validated and reimbursed by the Permanent Electoral Authority.

Article 48¹. - (1) The term supporting documents provided in Article 48 paragraphs (1) - (5), (7) and (9) means invoices issued in accordance with the provisions of the national law or of the state in which they were issued or other accounting documents based on which the payment liability is registered, as well as documents attesting the making of the payments.

(2) In the event that the supporting documents provided for in paragraph (1), submitted by the financial mandataries, fail to clearly reveal the lawfulness and reality of the expenses, the Permanent Electoral Authority may request additional statements, clarifications or supporting documents.

Article 49. - (1) On a yearly basis, by 30 April of each year, political parties shall submit to the Permanent Electoral Authority an in-depth report on the income obtained and expenses incurred during the previous year.

(2) The reports provided for in paragraph (1) shall also include detailed descriptions of the income and expenses of the internal structures of the political parties provided for in Article 4 paragraph (4) of Law No. 14/2003 on the political parties, as republished, of the income and expenses of the persons having a direct or indirect connection with the political party, as well as of the forms of association provided for in Article 17 of this law.

(3) Political parties shall be required to submit their annual financial statements to the Permanent Electoral Authority within no more than 15 days from the registration thereof with the competent tax authority.

(4) The Permanent Electoral Authority shall publish on its own web page the reports provided for in paragraph (1), the annual financial statements, as well as summaries thereof, within 5 days from the submission date thereof.

(5) The political parties' accounts shall be organised and managed, at national and county level, in accordance with the provisions of Accountancy Law No. 82/1991, as republished, with subsequent amendments and supplements.

Article 50. - (1) The Permanent Electoral Authority may request, in order to check the lawfulness of the receipts and payments made by the political parties and independent candidates during the electoral campaign, to be provided with any additional statements and documents deemed necessary by it.

(2) Political parties and independent candidates shall submit the documents requested to the Permanent Electoral Authority's representatives within 15 days, according to paragraph (1).

(3) Any irregularities found shall be subject to the sanctions provided in this law.

(4) The organisations of citizens belonging to national minorities participating in the elections shall be subject to the Permanent Electoral Authority's control solely with respect to the electoral period and in connection with it.

Article 51. - (1) The Permanent Electoral Authority shall publish on its website all the reportings to be published in the Official Gazette of Romania, Part I, in accordance with Article 5 paragraph (4), Article 13 paragraphs (1) and (2), Article 15 paragraph (3), Article 16 paragraph (3), Article 17 paragraph (4) and Article 47 paragraph (3), as well as the statements provided for in Article 28.

(2) Political parties shall provide the data referred to in paragraph (1) in electronic form.

CHAPTER VI

Sanctions

Article 52. - (1) Infringement of the provisions provided for in Article 5 paragraphs (3) - (5), Articles 6, 7, Article 8 paragraphs (1), (2) and (4), Articles 9, 10, 11, 12, 13, Article 14 paragraphs (2) and (3), Article 15 paragraphs (1) and (3), Article 16 paragraphs (1) and (3), Article 17 paragraphs (1), (2) and (4), Article 31, Article 32 paragraph (1), Article 33 paragraphs (1) and (2), Article 34 paragraphs (5), (6), (8), (9), (11), (12) and (14), Article 36 paragraphs (2) - (4) and (6), Article 39 paragraph (1), Article 47 paragraph (4), Article 51 paragraph (2) and Article 60 paragraph (3) shall be deemed to be a minor offence, unless perpetrated in such circumstances as to be deemed a criminal offence, under the criminal law, and shall be penalised by a fine between lei 10,000 and lei 25,000.

(2) Infringement of the provisions provided for in Article 3 paragraphs (2) - (4) and (6) - (10), Article 25 paragraph (2), Articles 28, 29, 30, 37, 38, Article 43 paragraphs (2) - (4), Article 45, Article 47 paragraphs (1), (2) and (5), Article 49 paragraphs (1) - (3) and (5) and Article 50 paragraph (2) shall be deemed to be a minor offence, unless perpetrated in such circumstances as to be deemed a criminal offence, under the criminal law, and shall be penalised by a fine between lei 15,000 and lei 50,000.

(3) Infringement of the provisions provided for in Article 8 paragraph (3) shall be deemed to be a minor offence, unless perpetrated in such circumstances as to be deemed a criminal offence, under the criminal law, and shall be penalised

by a fine between lei 100,000 and lei 200,000.

(4) The sanctions may be applied to the political party, political alliance, organisation of citizens belonging to national minorities, independent candidate, financial mandatory and/or donor, as appropriate, as well as to any other persons who infringed the provisions of paragraphs (1) - (3).

(5) The limitation period for the sanctions provided for in paragraphs (1) - (3) shall be 3 years after the date of perpetration of the acts.

(6) In the case of continuous minor offences, the period provided for in paragraph (5) shall start to run from the date on which the act ceased to be perpetrated.

Article 53 (1) In the cases provided for in Article 52 paragraphs (1) - (3), the offender shall pay to the state budget the sums and/or the monetary equivalent of the goods and services involved in the minor offence, on the basis of the Permanent Electoral Authority's decision.

(2) Similarly, the donations accepted by a political party in the course of dissolution or by a political party acting based on an amended statute, notwithstanding that no amendments have been notified to the Bucharest Tribunal, according to law, or the court of law rejected the application for approval of the amended statute, shall be entered as income to the state budget.

Article 54. - (1) The minor offences provided for in Article 52 shall be ascertained by the representatives of the Permanent Electoral Authority, and the sanction shall be applied by decision of the Permanent Electoral Authority.

(2) The decision of the Permanent Electoral Authority may be challenged before the competent court, according to law.

Article 55 The provisions of Articles 52 and 54 shall be supplemented with the provisions of Government Ordinance No. 2/2001 on the legal rules governing minor offences, approved as amended and supplemented by Law No. 180/2002, with subsequent amendments and supplements.

Article 56. - (1) Within 30 days from the date on which the judgment given with respect to the minutes establishing the minor offence has become final or the time limit for challenging the minutes establishing the minor offence has expired, as applicable, the sums representing the equivalent of the unpaid fines may be withheld from the monthly tranches to be paid as public financing, by applying accordingly the procedure of enforcement by attachment of bank accounts, provided for in Government Ordinance No. 92/2003 on the Fiscal Procedure Code, as republished, with subsequent amendments and supplements.

(2) The Ministry of Public Finance, through its empowered bodies, shall inform the Permanent Electoral Authority of non-payment within the period provided for in paragraph (1), of the fines applied by the Permanent Electoral Authority.

Article 57 - (1) If one or several candidates declared elected, from the ranks of a specific political party, were convicted by a final court judgment for a criminal offence in connection with the financing of the political party or of the electoral campaign, as applicable, they shall become incompatible with the status of Member of Parliament or local elected official for the obtained mandate, which shall be annulled.

(2) The incompatibility shall be ascertained by decision of the Parliament chambers or of the county council or local council, as applicable, and the deputy, senator or councillor seats that have thus become vacant shall be occupied by the alternates on the list of that political party.

(3) The provisions of paragraphs (1) and (2) shall also apply to political alliances, electoral alliances and independent candidates; in this case, the seat that has become vacant shall be occupied by the alternate on the list of that political party or electoral alliance which has obtained the highest number of valid votes cast.

Article 58. - The procedure for the enforcement of the measures provided for in Article 57 shall be laid down in the regulations of the Parliament chambers, as well as in the regulations of the county councils and local councils.

CHAPTER VII

Transitional and final provisions

Article 59. - (1) The provisions of this law shall apply accordingly to the organisations of citizens belonging to national minorities who obtained mandates in the elections or who propose candidates.

(2) The organisations of citizens belonging to national minorities who obtained only one deputy mandate, in accordance with the electoral law, or one councillor mandate in one constituency respectively, shall solely fall within the scope of the legal provisions on the financing of the electoral campaign.

(3) The provisions of this law shall apply accordingly to independent candidates.

Article 60. - (1) The Permanent Electoral Authority shall keep a political party tax register, in which it shall enter the following:

a) the surname and first name, the personal identification numbers, the domiciles and contact details of the persons responsible for managing the funds of the political party, at national and county level;

b) the addresses of the head offices, of the territorial organisations and of the internal structures of the political parties provided for under Article 4 paragraph (4) of Law No. 14/2003, as republished;

c) the surnames and first names, the personal identification numbers, the domiciles and the contact details of the persons authorised to represent political parties at central and county level;

d) data concerning the financial activity of the political parties;

e) the sanctions applied.

(2) The Permanent Electoral Authority shall maintain a tax register for the independent candidates, in which it shall enter the surnames and first names, personal identification numbers, domiciles and contact details thereof, as well as information concerning the financial activity carried out during the electoral campaigns and the sanctions applied.

(3) Political parties shall notify to the Permanent Electoral Authority any change in the data provided for in paragraph (1) within no more than 45 days from the date of such change.

Article 61. - - Personal data processed by the Permanent Electoral Authority are protected by the special law and may not be used for purposes other than those indicated by such authority.

Article 62. - - The new organisational structure of the Permanent Electoral Authority shall be approved by decision

of the permanent bureaux of the two chambers of Parliament, with a view to ensuring the functioning of the Department for the Control of the Financing of Political Parties and Electoral Campaigns and of the specialised department for the allocation of the subsidy from the state budget.

Article 63. - (1) Within 90 days from the entry into force of this law, the methodological norms for the application of the provisions of this law shall be drawn up and submitted for approval, by Government decision, on a proposal from the Permanent Electoral Authority.

(2) The methodological norms shall obligatorily regulate:

- a) the modalities and format for the registration, record-keeping and publication of the donations, membership fees, loans and own income, as well as of the political parties' expenses;
- b) the grant and use of the subsidies from the state budget;
- c) the specific modalities and format for the registration, record-keeping and publicity of the income and expenses during the electoral campaign;
- d) the registration and duties of the financial mandatary;
- e) the control procedure and methodology;
- f) the categories of supporting documents and the methodology for the repayment of the sums spent for the electoral campaign.

Article 64. - (1) This law shall come into force 30 days after publication in the Official Gazette of Romania, Part I, except for the following provisions, which shall come into force on 1 July 2007, concerning:

- a) the grant of the subsidies from the state budget;
- b) the Permanent Electoral Authority, except for Article 42 paragraphs (3) and (5) - (9).

(2) Upon the entry into force hereof, Law No. 43/2003 on the financing of the activity of political parties and electoral campaigns, published in the Official Gazette of Romania, Part I, No. 54 of 30 January 2003, with subsequent amendments, shall be repealed, except for the provisions regarding the grant of subsidies from the state budget and the Court of Accounts, which shall be repealed as of 1 July 2007.

NOTE:

We reproduce below the provisions of Articles II and III of Law No. 113/2015 amending and supplementing Law No. 334/2006 on the financing of the activity of political parties and of the electoral campaigns, which are not incorporated in the republished form of Law No. 334/2006 and which shall continue to apply as its own provisions:

‘**Article II.** - The period provided for in Article 52 paragraph (1) of Law No. 334/2006, as republished, with subsequent amendments and supplements, as well as with those brought by this law, shall start to run as from the date of entry into force hereof.

Article III. - Within no more than 60 days from the date of entry into force hereof, political parties shall be required to provide to the Permanent Electoral Authority the data provided for in Article 49 paragraph (1) of Law No. 334/2006, as republished, with subsequent amendments and supplements, as well as with those brought by this law.’