

ELECTIONS AND REFERENDUM CAMPAIGN ACT (ZVRK)

I. GENERAL PROVISIONS

Article 1

(1) This Act shall regulate the matters of elections campaign for the elections of deputies to the National Assembly, members of the European Parliament from the Republic of Slovenia, President of the Republic of Slovenia, members of representative and individually elected local government bodies and questions referring to the referendum campaign.

(2) Under this Act the elections campaign shall include all the political campaign communications and other forms of political campaign intended to influence the voters' decisions when voting for candidates in elections.

(3) Referendum campaign shall include all the political campaign communications and other forms of political campaign intended to influence the voters' decisions when voting for candidates in referendum.

(4) The provisions on the elections campaign shall apply to the referendum campaign unless otherwise stipulated by this Act.

(5) The elections campaign shall include above all the following:

- campaign in mass media, electronic publications and campaign using telecommunication services,
- placing of posters and
- public meetings relating to the elections or referendum campaign (hereinafter referred to as pre-elections meetings).

Article 2

(1) The elections campaign may start no sooner than 30 days before voting day and must end no later than 24 hours before voting day.

(2) When the initiative for the collection of citizens' signatures for conducting a referendum is submitted to the President of the National Assembly, special informing of the public on the collection of signatures can be organized. Special informing of the public shall be conducted from the beginning date to the conclusion date of collection of signatures and may be organized by the proposer.

(3) The President of the National Assembly shall provide a notice to the public on the beginning of the time limit set for the collection of signatures in an appropriate manner. Radiotelevizija Slovenije shall provide a cost-free publication of this notice.

(4) Special informing as referred to in the second and third paragraphs of this Article shall be performed in the locally appropriate manner for the referendum campaign conducted at the local level.

Article 3

(1) The elections campaign may be organized by the candidates themselves, by the proposers of candidates or of a list of candidates, by the political parties or by other elections campaign organizers and in the case of referendum, by the proposer of referendum and other subjects interested in result of the referendum (hereinafter referred to as elections campaign organizers). The interested subjects under this paragraph may be the citizens of the Republic of Slovenia having the voting right and individuals performing commercial activities as self-employed persons, independent entrepreneurs and legal entities with registered office in the territory of the Republic of Slovenia.

(2) The elections campaign organizer shall be responsible for the regularity of conducting elections campaign. The elections campaign organizer shall also be responsible for such actions in the elections campaign, for which he has authorized other operators in writing.

(3) The same lists of candidates and individual candidates for elections of the deputies to the National Assembly and members to the European Parliament and candidates for elections for the President of the Republic may have only one elections campaign organizer.

(4) In the elections for the representative and individual local community bodies each list of candidates and individual candidates may have only one elections campaign organizer.

(5) Every proposer of a referendum or any other subject interested in the result of a referendum may have only one elections campaign organizer.

(6) Foreign legal or natural persons shall not be allowed to organize the elections campaign.

(7) In the Republic of Slovenia it shall not be allowed to conduct elections campaign for the elections taking place in another state.

Article 4

(1) Pre-election meetings shall not be allowed in the premises of state authorities, authorities of self-governing local communities, public institutions and other entities of public law, nor in the premises of religious communities, except when a religious community is the organizer of a referendum campaign. The elections campaign shall not be financed by budgetary funds and funds of companies whose invested public capital exceeds 25% and companies in which they have a majority holding, except by the funds provided to the political parties from the budget in compliance with the act regulating political parties.

(2) When the organizers of a referendum campaign are organizations of trade unions or workers' councils, they shall have the right to use the appropriate premises in the companies and institutions for the purpose of explaining their positions to their members, in compliance with the collective agreement or internal rules on trade union activities.

(3) It shall be exceptionally allowed to organize pre-election meetings in the premises as referred to in the first paragraph of this Article when no other building with a hall which can accommodate a large number of people is available in the place concerned.

(4) The prohibition referred to in the first paragraph of this Article shall not apply to the organization of pre-election meetings in the premises intended predominantly for public events.

(5) In the cases referred to in the third and fourth paragraphs of this Article, the premises must be available under equal conditions to any elections campaign organizers. The conditions shall be published by the owner or operator of the premises at least 60 days before the voting day at elections or 25 days before the voting day at referendum.

(6) Notwithstanding the provision of the first paragraph of this Article, the Government of the Republic of Slovenia may earmark funds for the referendum campaign by issuing a respective decision when the initiator or proposer of the referendum is a budget user. The funds earmarked by the Government of the Republic of Slovenia for referendum campaign shall not exceed 25% of the permitted amount of costs as referred to in the sixth paragraph of Article 23 hereof.

(7) When a local community is the organizer of the referendum campaign, it may earmark funds not exceeding 25% of the permitted amount of costs as referred to in the sixth paragraph of Article 23 hereof for the referendum campaign.

II. ELECTIONS AND REFERENDUM CAMPAIGN IN PUBLIC MEDIA

Article 5

(1) In publications of public opinion research on the candidates and political parties during the elections campaign and in publications of public opinion polls on referendum question, the author, methodology and commissioner of the poll must be indicated.

(2) Seven days before the voting day the publication of public opinion polls on the candidates, candidate lists, political parties and referendum question shall not be allowed.

Article 6

(1) Not later than within 45 days before the voting day at elections or 25 days before the voting day at referendum the public media must determine and publish the rules (scope, conditions and methods) for the use of broadcasting time and newspaper space for presentation of candidates, political parties and their programmes or presentation of opinions on the referendum question.

(2) During the elections campaign, Radiotelevizija Slovenija shall provide broadcasting time for presentation of candidates or opinions on the referendum question in compliance with the provisions of the act regulating Radiotelevizija Slovenija on political campaign in the programmes of Radiotelevizija Slovenija.

(3) Other printed and electronic media owned directly or through majority public ownership shall provide to all organizers equal conditions for the publication of

elections campaign communications and the rules referred to in the preceding paragraph of this Article must ensure equality to the elections campaign organizers in the presentation of candidates and their programmes, where special broadcasting time or newspaper space may be provided for the political parties already represented in the National Assembly or for the political parties and candidate lists that are already represented in the representation bodies of the local communities, and special broadcasting time or newspaper space for the political parties and candidate lists not yet represented in the National Assembly or in the representative bodies of local communities.

Article 7

(1) Public media shall publish political campaign communications including the indication of the commissioner.

(2) In the bulletins, catalogues or other forms of publication of information, posters, pamphlets, banners, video pages without live picture and electronic publications and telecommunication messages containing elections campaign communications for the elections campaign, in addition to the impressum the commissioner of such communications shall be indicated.

III. POSTING POSTERS

Article 8

(1) Sticking and posting posters containing elections campaign communications for the elections campaign (hereinafter referred to as posters) shall be allowed on poster locations determined by the local community. The local community shall provide to all organizers of elections campaign free of cost and without the payment of municipal tax, equality in sticking and posting of posters at all poster locations whose number and total area shall allow to a particular elections campaign organizer at least the basic informing of the voters in the local community on the list of candidates or candidate or on the referendum question.

(2) The local community may also determine additional poster locations, but these shall be available to elections campaign organizers solely under certain conditions and against payment.

(3) Sixty days before the voting day at elections at the latest or 25 days before the voting day at referendum at the latest the local community must give public notice of the conditions for acquisition of the right to use the poster locations referred to in the two preceding paragraphs of this Article.

(4) The local community public utility service shall be responsible for removing the posters posted in conflict with the provisions of this Article and shall remove such posters at the expense of the organizer of the elections campaign.

Article 9

(1) Posting posters in places other than those determined in Article 8 hereof shall be allowed with the approval of the owner or the operator of the boardings, buildings, other facilities or land.

(2) Should the organizer of the elections campaign post posters in places other those determined without the approval as referred to under the preceding paragraph, the owner or the operator shall remove the posters by himself at the expense of the organizer or shall call on the organizer to immediately remove the posters. Should the organizer fail to remove the posters within three days from receiving such request, the owner or operator shall remove the posters at the expense of the organizer.

(3) No request for a special permit or payment of municipal tax shall be allowed for the posting of posters as referred to in the first paragraph of this Article.

Article 10

(1) Sticking over or destroying posters of other elections campaign organizers shall be prohibited.

(2) During the pre-elections silence the sticking or placing of new posters shall be prohibited.

Article 11

(1) Elections campaign organizers must within 15 days after the voting day remove from the poster locations all their posters and other elections campaign communications as referred to in Articles 8 and 9 of this Act.

(2) Inspection service of the local community or local police shall be responsible for removing the posters after the expiry of the time limit from the preceding paragraph at the expense of the elections campaign organizer and shall impose a fine in compliance with Article 33 hereof. No appeal against the decision as referred to in the preceding paragraph shall stay the enforcement thereof.

IV. PRE-ELECTION MEETINGS

Article 12

(1) The provisions of the act governing public meetings shall apply for organization of pre-elections meetings, except where otherwise provided by this Act.

(2) The organizer of the elections campaign must inform the competent police station of the pre-elections meeting at least 48 hours in advance.

Article 13

(1) The elections campaign organizer must notify the pre-elections meeting organized in the public transport areas with the competent police station at least 3 days before the meeting.

(2) Should it be necessary because of the meeting referred to in the preceding paragraph of this Article to restrict, divert or prohibit traffic, the organizer of elections campaign must, along with the notification referred to in the preceding paragraph, submit the permission issued by the authority competent for restriction of traffic or roadblock in the respective area during the time of the pre-elections meeting.

V. FINANCING OF THE ELECTIONS AND REFERENDUM CAMPAIGN

Article 14

(1) The provisions of the Act regulating the financing of political parties shall apply to the financing of the elections campaign, unless otherwise provided by this Act.

(2) The elections campaign shall not be financed by funds of companies whose invested public capital exceeds 25% and companies in which they have a majority holding, notwithstanding the act regulating political parties.

(3) Notwithstanding the act regulating political parties, the organizer of elections campaign may obtain funds for the elections into the European Parliament from the contributions of the citizens of the European Union Member States and private law legal entities from these countries under the conditions and in the manner as applicable to the national legal and natural entities.

Article 15

(1) The elections campaign expenses shall mean the expenses required for carrying out the elections campaign for an individual list of candidates or for an individual candidate or for conducting of referendum.

(2) The elections campaign expenses shall include:

1. expenses of designing, printing, posting and removing of posters,
2. expenses of designing and publishing of pre-elections campaign communications in public media,
3. expenses of organization and conducting pre-elections meetings,
4. expenses of designing, printing, reproduction and distribution of pre-elections documents as referred to in Article 7 hereof,
5. costs of opening, keeping and closing a special transaction account,
6. other related expenses incurred exclusively by the elections campaign actions.

(3) If the service provider or seller of the product grants the elections campaign organizer a price concession or acquits him from the payment, the amount charged by the service provider for the same or for a similar service or by the seller of products to other customers shall be considered expenses of the elections campaign.

(4) In the case referred to in the preceding paragraph the service provider or the seller shall state on the invoice issued to the elections campaign organizer the percentage of the price concession or his agreement to acquit the organizer from payment.

(5) The provisions of the third and the fourth paragraphs shall not apply to the services provided free of charge by a natural person without issuing any invoices.

(6) All costs referred to in this Article shall be considered as expenses of the elections campaign regardless of when they were incurred, when they were paid and when the

transactions referring to particular elections campaign acts were concluded, if the costs and transactions refer to the period from Article 2 hereof.

Article 16

(1) At least 45 days before the voting day at elections or at least 25 days before the voting day at referendum, the elections campaign organizer shall open a special transaction account designated “for the elections campaign” or “for the referendum campaign” and state the elections or referendum for which the campaign is organized. When the referendum date is determined more than 45 days after the adoption of the decision by the National Assembly or the representative body of a local community, the organizers of referendum may open a transaction account and collect the funds from the date when the national Assembly or representative body of a local community fixed the voting date at referendum. On such transaction account the elections campaign organizer must collect all the financial funds, either his own funds earmarked for the elections campaign or the funds obtained for that purpose by other legal or natural entities. All the elections campaign expenses shall be paid by the elections campaign organizer only from that transaction account. The elections campaign organizer shall be obliged to close this account within four months from the voting day at the latest. The maturity date for the loan as referred to in point 3 and the time term for deferred payment as referred to in point 4 of the first paragraph of Article 18 hereof shall not be set later than 30 days prior to the time term set for the closing of the account.

(2) Irrespective of the provision of the preceding paragraph of this Article, the organiser of the elections campaign shall open a special transaction account with designation for the elections or referendum campaign prior to performing the first financial operation intended for the elections campaign.

Article 17

(1) In addition to filing their candidacies, the candidates for the deputies of the National Assembly, members of the European Parliament and President of the Republic shall be obliged to inform the national voting and election committee on the organizer of the elections campaign and his responsible person and data on the opening of a special transaction account for the elections campaign (number of the transaction account, address of the bank and address of the holder of transaction account).

(2) The candidates for the members of representative and individually elected bodies of local communities shall be obliged to forward the data on the organizer of the elections campaign to the election commission of the local community.

(3) If the referendum is called at the national level, the organizers of the referendum campaign shall be obliged to send data on the organizer of the referendum campaign to the national voting and election committee within 25 days before the voting day at the latest.

(4) When the referendum is called in a local community, the organizers of the referendum campaign shall be obliged to send data on the organizer of the referendum campaign to the national voting and election committee within 25 days before the voting day at the latest.

(5) The national voting and election committee and the voting and election committees of local communities shall be obliged to forward the data on the organizers of elections campaign to the Court of Auditors within 15 days after the voting day at the latest.

Article 18

(1) Within 15 days after the closing date of a special transaction account, the organizer of the elections campaign for the elections to the National Assembly, the European Parliament, for the President of the Republic or referendum at the national level shall be obliged to submit to the National Assembly and the Court of Auditors a report on:

1. the total amount of funds raised and utilized for the elections campaign,
2. data on the total amount of contributions to the elections campaign organizer exceeding on the voting day the triple value of average gross monthly salary of the workers in the Republic of Slovenia according to the data of the Statistical Office of the Republic of Slovenia for the past year, in order to provide transparency of the elections campaign,
3. total amount of credits granted to the elections campaign organizer where the amount of the granted credits exceeds the value referred to in the preceding point, including the name of the lender,
4. all deferred payments to the elections campaign organizer, where the amount of deferred payment exceeds the value referred to in point 2 of this paragraph, including the indication of the legal or natural entity who approved deferred payment.

(2) The contributions from point 2 of the preceding paragraph shall not be included in the funds that the legal or natural entities devote to the financing of political party in compliance with the provisions of the act regulating the financing of political parties.

(3) Deferment of payment as referred to under point 4 of the first paragraph of this Article shall not exceed 90 days following the performed service or supply of goods. All payments carried out after the expiry of 30 days following the performed service or supply of goods shall be deemed deferred payment.

Article 19

(1) The organizer of elections campaign for members of representative and individually elected bodies of local communities or referendum in a local community shall, within 15 days following the closing of transaction account, submit to the representative body of the local community and the Court of Auditors a report on the total amount of funds raised and utilized for the elections campaign.

(2) The report referred to in the preceding paragraph must contain the data as referred to in Article 18 hereof on the sources of funds and the manner of their use and all data referred to in Article 18 hereof.

Article 20

The minister responsible for finances shall determine in more detail the contents and forms of the reports as referred to in Articles 18 and 19 hereof.

Article 21

The reports and data as referred to in Articles 18 and 19 hereof shall become public for the purpose of providing transparency of the elections campaign when they are submitted to the National Assembly or representative body of the local community or the Auditor's Court.

Article 22

The elections campaign organizer other than a political party must earmark possible surplus of collected funds for humanitarian purposes upon the closing of the transaction account at the latest as determined in the act governing humanitarian organizations.

Article 23

(1) The costs of elections campaign for elections into the National Assembly shall not exceed EUR 0.40 per eligible voter in the electoral district or in the electoral unit, where the list of candidates has been deposited or where an individual stands as a candidate.

(2) The costs of the elections campaign for elections to the European Parliament shall not exceed EUR 0.40 per eligible voter in the country.

(3) The costs of the elections campaign for elections of the President of the Republic shall not exceed EUR 0.25 per eligible voter in the country. In case of repeated voting the expenses of elections campaign for the persons standing as candidates in that voting may be increased by further EUR 0.15 per eligible voter in the country.

(4) The costs of the elections campaign for elections into the representative body of the local community shall not exceed EUR 0.40 per eligible voter in the local community.

(5) The costs of the elections campaign for elections of the individually elected body of the local community shall not exceed EUR 0.25 per eligible voter in the local community. In case of repeated voting the expenses of elections campaign for the persons standing as candidates in that voting may be increased by further EUR 0.15 per eligible voter in the local community.

(6) The costs of referendum campaign at the national level or at the local community level shall not exceed EUR 0.25 per eligible voter in the country or the local community.

(7) On the day determined for the beginning of electoral tasks, the Ministry responsible for the voting rights register shall publish in its web pages the number eligible voters in the country, in a particular electoral unit and electoral district, and in the case of local elections or referendum at the local community level also in a particular local community.

VI. PARTIAL REIMBURSEMENT OF EXPENSES FOR ORGANIZING AND FINANCING ELECTIONS CAMPAIGN

Article 24

(1) Elections campaign organizers, whose lists have obtained mandates for deputies to the National Assembly or the European Parliament, shall be entitled to the reimbursement of expenses for the elections campaign in the amount of EUR 0.33 per vote in their favour, provided that the total amount of reimbursed expenses does not exceed the amount of the utilized funds as shown in the audit report of the Court of Auditors.

(2) Irrespective of the provision of the preceding paragraph the elections campaign organizer, whose list of candidates has obtained at least 6% of the total number of votes cast in the electoral unit or at least 2 % of the total number of votes cast in the country, shall also be entitled to partial reimbursement of expenses in the amount of EUR 0.17 per vote in favour of his list of candidates in such electoral unit or in the country.

(3) Elections campaign organizers for the delegates of the Italian and Hungarian national communities whose candidate has obtained a mandate or at least 25% of the total number of points calculated for all candidates members of the Italian or Hungarian minority, shall be entitled to partial reimbursement of elections campaign expenses in the amount of EUR 0.33 for every vote in their favour.

(4) In order to calculate the amount of partial reimbursement as referred to in the preceding paragraph, the number of votes obtained by an individual candidate shall be calculated by dividing his number of points with the total number of points received by all candidates and multiplying thus obtained percentage by the number of all valid ballot papers.

Article 25

The organizer of referendum campaign shall not be entitled to the reimbursement of expenses.

Article 26

(1) The elections campaign organizers for the election of the President of the Republic of Slovenia shall be entitled to partial reimbursement of the expenses for the elections campaign if their candidates received a minimum of 10% of the total number of votes cast by eligible voters. In case of the repeated voting the two persons standing as candidates in the repeated voting shall be entitled to the reimbursement of expenses only on the basis of votes cast in their favour in this voting.

(2) Elections campaign organizers for the President of the Republic shall be entitled to reimbursement of expenses for the elections campaign in the amount of EUR 0.12 per vote cast in their favour, provided that the total amount of reimbursed expenses does not exceed the amount of the utilized funds as shown in the audit report of the Court of Auditors.

Article 27

At his request the organizer of the elections campaign for the elections of deputies to the National Assembly, members of the European Parliament or elections of the President of the Republic of Slovenia shall be reimbursed for his elections campaign expenses from the national budget within 30 days after the publication of the Court of Auditors' final report in the bulletin of the National Assembly.

Article 28

(1) The local community shall determine the amount of partial reimbursement of expenses to the elections campaign organizers before the start of the elections campaign. The local community may determine that partial reimbursement of expenses shall belong only to those organizers of elections campaign that were given the mandates in the representative body of the local community and only to those organizers of the elections campaign for the individual body of the local community whose candidates achieved a certain percentage of the total number of eligible voters who cast votes, whereby the percentage determined by the local community shall not exceed 10%.

(2) The amount of partial reimbursement of expenses granted to the organizers of the elections campaign at elections for members in representative bodies of local communities shall not exceed the amount per vote cast in their favour reimbursed to the organizers of the elections campaign for the election of deputies to the National Assembly. The amount of partial reimbursement of expenses to the organizers of the elections campaign at elections for individual bodies of local communities shall not exceed the amount per vote cast in their favour reimbursed to the organizers of the elections campaign for the President of the Republic of Slovenia. In case of the repeated voting the two persons standing as candidates in the repeated voting shall be entitled to the reimbursement of expenses only on the basis of votes cast in their favour in this voting.

(3) It shall not be allowed to determine the reimbursement of expenses to the organizer of a referendum campaign in a local community.

Article 29

(1) Within six months after the date set for the closing of the transaction account, the Court of Auditors shall carry out a financial audit at those organizers of elections campaign who are entitled to partial reimbursement of elections campaign expenses on the basis of this Act.

(2) Within six months after the date set for closing the transaction account, the Court of Auditors shall carry out a financial audit at the organizers of referendum campaign at the national level.

(3) Within the time term set in the first and second paragraphs of this Article, the Court of Auditors may perform the audit also at the elections campaign organizer for the elections for members of representative and individually elected local community body and for referendum at the local level.

(4) At the request of the Court of Auditors, the elections campaign organizer, the Bank of Slovenia and the commercial banks with whom the elections campaign organizers opened special transaction accounts shall be obliged to submit the documents required for the performance of audit and to enable access to their books and records of account. In compliance with its competences, the Court of Auditors may also perform other investigations required for the performance of audit.

Article 30

(1) The Court of Auditors shall verify through the audit as referred to in Article 29 the following:

1. total amount of funds raised and utilized for the elections campaign,
2. whether the elections campaign organizer raised and utilized the funds for elections campaign pursuant to the law;
3. whether the information stated by the elections campaign organizer in his reports as referred to in Articles 18 and 19 hereof are correct.

(2) When final, the report of the Court of Auditors shall be published in the bulletin of the National Assembly.

Article 31

(1) When the elections campaign organizer in elections for deputies to the National Assembly, elections to the European Parliament and elections for the President of the Republic exceeds the funds provided for the elections campaign by more than 10%, the partial reimbursement of the costs for organizing and financing the elections campaign paid to him from the national budget on the basis of this Act shall be reduced by half. When the elections campaign organizer in elections for members of representative bodies and individually elected bodies of the local communities exceeds the funds provided for the elections campaign by more than 10% in a local community, the partial reimbursement of the costs for organizing and financing the elections campaign paid to him from the municipal budget on the basis of this Act shall be reduced by half.

(2) The funds paid from the national budget on the basis of the Act regulating the financing of political parties shall be reduced by half for the period of one year to the political party whose elections campaign organizer in elections for deputies to the National Assembly, elections to the European Parliament and elections for the President of the Republic exceeds the funds provided for the elections campaign by more than 10%. The funds paid from the municipal budget on the basis of the Act regulating the financing of political parties shall be reduced by half for the period of one year to the political party in a local community whose elections campaign organizer in elections for members of representative and individually elected bodies of local communities exceeds the funds provided for the elections campaign by more than 10%.

(3) The elections campaign organizer in elections for deputies to the National Assembly, elections to the European Parliament and elections for the President of the Republic shall lose the right to partial reimbursement of the costs for organizing and financing the elections campaign paid to him on the basis of this Act from the national budget if he exceeds the funds provided for the elections campaign by more than 30%. The elections campaign organizer in elections for members of representative bodies and individually elected bodies of local communities who exceeds the funds provided for the elections campaign by more than 30% in a local community, shall lose the right to partial reimbursement of the costs for organizing and financing the elections campaign paid to him from the municipal budget on the basis of this Act.

(4) The political party, whose elections campaign organizer in elections for deputies to the National Assembly, elections to the European Parliament and elections for the President of the Republic exceeds the funds provided for the elections campaign by

more than 30%, shall lose the right to the funds paid to it from the national budget on the basis of the Act regulating the financing of political parties for the period of one year. The political party in a local community, whose elections campaign organizer in elections for members of representative and individually elected bodies of local communities exceeds the funds provided for the elections campaign by more than 30%, shall lose the right to the funds paid to it from the municipal budget on the basis of the Act regulating the financing of political parties for the period of one year.

(5) As soon as the audit report becomes final, the Court of Auditors shall adopt a decision on restriction or forfeiture of the right to the funds from the national or municipal budget.

(6) Administrative dispute shall be allowed against the decision under the preceding paragraph.

VII. PENALTY PROVISIONS

Article 32

(1) A fine ranging from EUR 800 to 1,200 shall be imposed on the elections campaign organizer for his failure to finish the elections campaign 24 hours before the voting day (Article 2).

2) A fine ranging from EUR 150 to 300 shall be imposed on responsible person of the elections campaign organizer for committing the offence as referred to in the preceding paragraph.

(3) A fine ranging from EUR 120 to 200 shall be imposed on an individual for committing the offence as referred to in the first paragraph of this Article.

Article 33

(1) A fine ranging from EUR 700 to 1,000 euros shall be imposed on the elections campaign organizer for committing the following:

- posting the posters in contravention of Articles 8 and 9 of the present Act;
- sticking over or destroying posters of other elections campaign organizers (first paragraph of Article 10);
- posting posters during the pre-elections silence (second paragraph of Article 10);
- not removing posters and other elections campaign communications in accordance with Article 11 of this Act.

2) A fine ranging from EUR 150 to 200 shall be imposed on responsible person of the elections campaign organizer for committing an offence as referred to in the preceding paragraph.

(3) A fine ranging from EUR 150 to 200 shall be imposed on any person for tearing or in any other way destroying posters, which have been stuck in accordance with the provisions of Article 8 or Article 9 of this Act, or for sticking and posting new posters during the pre-elections silence (Article 10).

(4) A fine ranging from EUR 1,000 to 2,000 shall be imposed on the responsible person of the local community that fails to provide equal treatment to all elections campaign organizers in the sticking and posting of posters in accordance with first paragraph of Article 8 of the present Act.

Article 34

A fine ranging from EUR 350 to 650 shall be imposed on the responsible public media editor in chief for committing the following offences:

- publishing public opinion research on the candidates or referendum question without stating the data as referred to in the first paragraph of Article 5 of this Act;
- publishing public opinion research within seven days before the voting day (second paragraph of Article 5 of this Act);
- publishing political campaign communication without indicating the commissioner (Article 7).

Article 35

(1) A fine ranging from EUR 1,500 to 2,000 shall be imposed on the following persons:

- the publisher of any public media who fails to adopt or publish in due time the rules referred to in Article 6 of this Act or acts contrary to the second paragraph of Article 5 of this Act;
- the publisher of a public media for not stating the data pursuant to Article 7 of this Act;
- legal entity, independent entrepreneur or individual performing a commercial activity as self-employed person who acts contrary to Article 7 of this Act.

2) A fine ranging from EUR 150 to 200 shall be imposed on the responsible person of the legal entity for committing an offence as referred to in the preceding paragraph.

Article 36

(1) A fine ranging from EUR 7,000 to 10,000 shall be imposed on the elections campaign organizer – legal entity, independent entrepreneur or individual performing a commercial activity as self-employed person who carries out elections campaign in the Republic of Slovenia for elections in another country (seventh paragraph of Article 3).

2) A fine ranging from EUR 700 to 1,000 shall be imposed on the responsible person of the elections campaign organizer and the elections campaign organizer – individual for committing an offence as referred to in the preceding paragraph.

Article 37

(1) A fine ranging from EUR 700 to 1,000 shall be imposed on the elections campaign organizer who fails to notify a meeting or gathering in accordance with Articles 12 and 13 of the present Act.

2) A fine ranging from EUR 150 to 200 shall be imposed on the responsible person of the elections campaign organizer for committing an offence as referred to in the preceding paragraph.

(3) A fine ranging from EUR 2,000 to 4,000 shall be imposed on a religious community, public institution or other public law person who acts contrary to Article 4 of the present Act.

(4) A fine ranging from EUR 1,000 to 2,000 shall be imposed on the responsible person of a religious community, state authority, local self-governing community authority, public institution or other public law person who acts contrary to the preceding paragraph.

Article 38

(1) A fine ranging from EUR 10,000 to 15,000 shall be imposed on the elections campaign organizer – legal person, independent entrepreneur or individual performing a commercial activity as self-employed person for not submitting a report on elections campaign financing (Articles 18 and 19) or for late opening of a separate transaction account or for not collecting on that account all funds available for financing the elections campaign or for not settling the complete expenses of the elections campaign from that separate transaction account (Article 16) or for not earmarking the surplus of the collected funds for humanitarian purposes (Article 22).

2) A fine ranging from EUR 1,500 to 2,000 shall be imposed on the responsible person of the organizer for committing an offence as referred to in the preceding paragraph.

(3) A fine ranging from EUR 400 to 1,200 euros shall be imposed on the elections campaign organizer – an individual for committing the offence as referred to in the first paragraph of this Article.

Article 39

(1) A fine ranging from EUR 7,000 to 12,500 shall be imposed on the elections campaign organizer – legal entity, independent entrepreneur or individual performing a commercial activity as self-employed person who exceeds the restrictions determined for the financing of elections campaign in elections for deputies of the National Assembly, members of the European parliament or elections for the President of the Republic of Slovenia by Article 23 of the present Act.

(2) A fine ranging from EUR 3,500 to 10,000 shall be imposed on the elections campaign organizer – legal entity, independent entrepreneur or individual performing a commercial activity as self-employed person who exceeds the restrictions determined for the financing of elections campaign in elections for members of representative bodies and individually elected bodies of local communities of local communities by Article 23 of the present Act.

(3) A fine ranging from EUR 3,500 to 10,000 shall be imposed on the referendum campaign organizer – legal entity, independent entrepreneur or individual performing a commercial activity as self-employed person who exceeds the restrictions determined in Article 23 of the present Act.

4) A fine ranging from EUR 700 to 1,000 shall be imposed on the responsible person of the elections campaign organizer or the elections campaign organizer – individual for committing an offence as referred to in the present Article.

Article 40

(1) The Inspectorate of the Interior of the Republic of Slovenia shall be competent for the implementation and supervision over the implementation of the provisions of this Act, except in cases referred to in Articles 8 and 9 of this Act where the respective competent bodies shall be inspection service of a local community or local police.

(2) The authorities as referred to in the preceding paragraph may impose fines for offences committed under this Act within the range set herein.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Article 41

The minister responsible for finance shall issue the rules as referred to in Article 20 of this Act within 3 months of the entry into force of this Act.

Article 42

On the day of entry into force of this Act, the Elections Campaign Act (Uradni list RS, Nos. 62/94, 17/97 and 103/06) shall cease to apply.

Article 43

On the day of the entry into force of this Act the following acts shall cease to apply:

– Article 8 of the Election of Slovenian Members to the European Parliament Act (official consolidated text, Uradni list RS, No. 40/04);

– Decree on the forms of reports on the total amount of funds raised and utilized for the elections campaign (Uradni list RS, No. 39/97)).

Article 44

This Act shall enter into force on the fifteenth day following its publication in the Uradni list RS.

No. 004-01/92-8/35

Ljubljana, 26 April 2007

EPA 1187-IV

President of the National Assembly
of the Republic of Slovenia

France Cukjati, MD, m.p.