On Public Associations

CHAPTER 1

GENERAL PROVISIONS

Article 1. Definition of public association, union (coalition) of public associations

Public association is a voluntary association of citizens associated, in the order established by the legislation, on the basis of common interests for joint exercise of civil, social, cultural and other rights.

Union (coalition) of public associations (hereinafter referred to as union) is a voluntary association of public associations established on the basis of a constituent agreement between them for coordination of their statutory activity, representation and protection of their legal interests.

Public associations, unions are noncommercial organizations.

The present Law does not cover political parties, trade unions, religious organizations, their unions (coalitions), republican public and social associations, bodies of territorial public self-government, other public units, where the procedure of their formation and operation is set forth by relevant legislative acts.

Article 2. Right to freedom of association

Citizens of the Republic of Belarus have the right to establish, on their own initiative, public associations and to join operating public associations.

Foreign citizens and persons without citizenship may join operating public associations if it is provided by their Statutes.

Foreign citizens may be founders of international public associations to be established on the territory of the Republic of Belarus.
Article 3. Status of public associations, unions

In the territory of the Republic of Belarus, it is allowed to establish and operate international, republican and local public associations, unions.

Public associations, unions are recognized as international if their activities cover the territory of the Republic of Belarus (one or more administrative-territorial units of the Republic of Belarus) and the territory of one or more foreign states.

Public associations, unions are recognized as republican if their activities cover the whole territory of the Republic of Belarus.

Public associations, unions are recognized as local if their activities cover the territory of one or more administrative-territorial units of the Republic of Belarus.

Article 4. Principles of establishment and operation of public associations, unions

Public associations, unions are established and operate on the basis of principles of legality, voluntariness, independence and public openness.

Article 5. Legal base of operation of public associations, unions

Public associations, unions are to be established and operated in accordance with the Constitution of the Republic of Belarus, the present Law, other acts of legislation and on the basis of their constituent documents.

Article 6. State and public associations, unions

The State guarantees protection of rights and legitimate interests of public associations, unions.

Interference of state bodies and officials into activity of public associations, unions, as well as interference of public associations, unions into affairs of state bodies and officials is not allowed, except for the cases provided for by the legislation.

Article 7. Restrictions at establishment and operation of public associations, unions
Establishment and operation of public associations, unions aimed at propagation of war or carrying out extremist activities are prohibited.

Operation of non-registered public associations, unions in the territory of the Republic of Belarus is prohibited.

Operation of public associations, unions aimed at facilitating the provision by foreign states to the citizens of the Republic of Belarus of benefits and privileges in relation to political, religious views or ethnicity in violation of the legislation is prohibited.

CHAPTER 2

ESTABLISHMENT AND OPERATION OF PUBLIC ASSOCIATIONS, UNIONS

Article 8. Conditions of establishment and operation of public association, its organizational structure, union

Citizens of the Republic of Belarus who have reached the age of 18 have the right to act as founders of public association, except for youth and children public associations, where the citizens who have reached the age of 16 may act as founders.

Public association of citizens under the age of thirty one years (not less than two thirds of the total number of members) which represents their specific interests and statutory activity of which is aimed at ensuring social formation and all-round development of young people is recognized youth public association.

Public association of citizens under the age of eighteen years (not less than two thirds of total number of members) which represents their specific interests, and statutory activity of which is aimed at ensuring social formation and all-round development of children is recognized children public association.

For the establishment and operation of the public association in the territory of the Republic of Belarus it is necessary:

for an international public association - not less than ten founders (members) from the Republic of Belarus and not less than three founders (members) from one or more foreign states, as well as the presence of organizational structures of this public association in the territory of these states;

for a republican public association - not less than ten founders (members) from each of the majority of regions of the Republic of Belarus and the city of Minsk;

for a local public association - not less than ten founders (members) from the majority of administrative-territorial units of the territory in which this public association will operate.

Public associations which have taken the decision on establishment of a union have the right to act as the founders of the union.
For establishment and operation of a union in the Republic of Belarus, it is necessary not less than two public associations and:

for an international union - at the same time not less than one public association registered in the Republic of Belarus and not less than one public association operating, in accordance with its Statute, in the territory of one or more foreign states;

for a republican union - not less than two republican public associations or not less than one republican and one local public association;

for a local union - not less than two local public associations.

Founders of a public association, union call constituent congress or conference or general assembly or other constituent assembly in which adopt the decision on the establishment of the public association, union, approve the name and Statute of the public association, union and elect the bodies of the public association, union. When establishing a union, founders also conclude a constituent agreement.

Public association may and in the case provided by paragraph 2 of part 4 of the present article shall establish its own organizational structures which are supposed to be its structural subdivisions established in accordance with the Statute of this public association on the territorial or other principle and operating on the basis of the Statute of the public association structural subdivisions of which they are.

In the Republic of Belarus, there may be established organizational structures of international public associations created in the territory of foreign states. Such organization structures are established and operate in accordance with the procedure established for international public associations created in the territory of the Republic of Belarus.

Organizational structures of a public association may be given the rights of legal person in accordance with the Statute of the public association structural subdivisions of which they are.

**Article 9. Constituent documents of public association, union**

Constituent document of a public association is the Statute of the public association.

Constituent document of a union is the Statute and constituent agreement of the union.

The Statute of a public association, union should contain:

- full and abbreviated name of the public association, union;
- aims, tasks, subject and methods of operation of the public association, union;
- indication of the territory which is covered by activities of the public association, union;
- terms and procedure of obtaining and losing membership in the public association, union as well as procedure of registration of members of the public association, union;
rights and obligations of members of the public association, union;

procedures of management of activities of the public association, union;

name, composition, procedure of election, procedure and frequency of convocation, terms of powers of bodies of the public association, union, bodies of organizational structures of the public association and their competence; procedure of making and appealing against decisions made by the bodies of the public association, union, bodies of organizational structures of the public association;

sources and procedure of formation of monetary funds and other property of the public association, union; body authorized to make decisions on property acquisition and disposal thereof; limits of disposing of property of the public association by its organizational structures;

procedure of introduction of changes and (or) additions into constituent documents of the public association, union;

procedure of reorganization and liquidation of the public association, union and procedure of use of property left after the liquidation of the public association, union;

legal address of the public association, union (location of governing body);

structure of the public association, conditions and procedure of creation and termination of activity of its organizational structures (for the Statute of the public association only).

The Statute of a public association, union may also contain other provisions concerning establishment and operation of the public association union that do not contradict the legislation of the Republic of Belarus.

Constituent contract of a union should contain:

full and abbreviated name of the union;

procedure of joint activity of founders of the union on its establishment;

terms of transfer of property of founders and other members to the union;

terms of participation in the activity of the union of founders of the union and its other members;

terms and procedure of administration of activity of the union;

terms and procedure of acquiring and losing membership in the union;

responsibility of members of the union for its liabilities.

By consent of union members, other terms may be included in the constituent contract of the union as well.

It is not allowed to indicate in the constituent documents of the public association, union to the superiority of any race, nationality, religion, or social group.
Article 10. Bodies of public association, union, bodies of organizational structures of public association

The superior body of the public association, union is a congress, conference, general assembly or other assembly of members of public association or their representatives (delegates), representatives of union members.

Superior body of public association, union:

approves the name and the Statute of the public association, union;

elects governing body of the public association, union that manage the activity of public association, union between sessions (convocations) of the superior body of the public association, union;

elects auditing body of the public association, union carrying out internal inspection of financial and economic activity of the public association, union as well as internal control of the compliance of activity of the public association, union with legislation and their constituent documents;

introduces changes and (or) additions into the Statute of the public association, union, unless otherwise provided by the present article;

takes decisions on reorganization or liquidation of the public association, union, unless otherwise provided by the present Law;

takes other decisions, obligatory for all bodies and members of public association, union.

Governing body of a public association consists of not less than 3 members of the public association.

Governing body of a union consists of not less than 3 members of public associations belonging to the union.

Governing body of a public association, between sessions (convocations) of superior body of public association, has the right to introduce changes and (or) additions into the Statute of the public association connected with the change of the legal address of the public association (location of governing body) or stipulated by the changes in the legislation.

The superior body of an organizational structure of the public association, in accordance with the Statute of the public association, is a conference, general assembly or other assembly.

The superior body of the organizational structure of public association:

elects, in the order specified by the Statute of the public association, governing body of the organizational structure that manages the activity of the organizational structure, union between sessions (convocations) of the superior body of the organizational structure;

elects auditing body of the organizational structure;

takes decisions which are obligatory for all bodies of the organizational structure and members of the public association belonging to the organizational structure.
Governing and auditing bodies of a public association, its organizational structures, union are elected bodies. Only members of this public association who have reached the age of 18 may be elected into elected bodies of a public association, its organizational structures. Into elected bodies of union, there may be elected only members of public associations belonging to this union that have reached the age of 18. Members of public association are not allowed to hold at the same time positions in governing and auditing bodies of public association, its organizational structures, union.

Public association, its organizational structures, union may form other bodies necessary for performing statutory activity. The formation procedure of these bodies, their competence and the procedure of decision-making are to be specified by the constituent documents of the public association, union.

**Article 11. Membership in public associations, unions**

Public associations have fixed membership.

Citizens who have reached the age of 16 may become members of public associations. In cases specified by the Statute of a public association, citizens under the age of 16 may become its members with the written consent of their legal representatives.

Legal persons cannot be members of public associations.

Members of union are public associations belonging to this union.

**Article 12. Name and symbols of public association, union**

The name of public association should contain indication to its organizational legal form and the nature of its activity. The name of an organizational structure of a public association should contain indication of the name of the public association, the organizational structure of which it is.

The name of a union should contain indication to the main subject matter of its activity and the activity of its members and include the words 'union' or 'association'.

It is not allowed to use in the name of a public association, its organizational structures, union:

- words 'Republic of Belarus', 'Belarus', 'Belarusian', 'national', 'people's', 'academy' unless otherwise specified by the President of the Republic of Belarus;
- official names (both full and abbreviated) of foreign states or former states;
- name of a citizen - when there is no declaration of this citizen (in case of his death - declaration of his heirs) giving the consent to use the name of this citizen in the name of public association, union;
- indication to the superiority of any race, nationality, religion, or social group.
Public association, union may have their own flag, hymn, emblem, badge, pennon, tie, lapel and recognition badges (hereinafter - symbols, unless otherwise provided by the present Law) that are to be approved in the order established by the legislation and their constituent documents.

The use of state symbols of the Republic of Belarus and (or) symbols of foreign states or former states as symbols of public association, union is not allowed.

The name of a public association, union, including the abbreviated, and their symbols must differ from the names and symbols of other public associations, unions registered in the Republic of Belarus or liquidated by the court decision and may not contradict the present Law, other acts of legislation, constituent documents of the public association, union, or infringe intellectual property rights.

Name and symbols of a public association, union shall not serve the objective of propagation of war or carrying out extremist activities.

CHAPTER 3

STATE REGISTRATION OF PUBLIC ASSOCIATIONS, UNIONS, THEIR SYMBOLS, CHANGES AND (OR) ADDITIONS INTRODUCED INTO THE STATUTES OF PUBLIC ASSOCIATIONS, UNIONS. REORGANIZATION AND LIQUIDATION OF PUBLIC ASSOCIATIONS, UNIONS

Article 13. Procedure of state registration of public association, union, their symbols, changes and (or) additions introduced into the Statute of public association, union

The procedure of state registration of public association, union, their symbols, changes and (or) additions introduced into the Statute of public association, union is set forth by the present Law and other acts of legislation.

State registration of international, republican public associations, unions, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statutes of public associations, unions is carried out by the Ministry of Justice of the Republic of Belarus (hereinafter referred to as Ministry of Justice).

State registration of local public associations, unions their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statutes of these public associations, unions is carried out by Departments of Justice of Regional, Minsk City Executive Committee.

Hymn, badge, pennon, tie are subject to state registration simultaneously with the state registration of public association, union or apart from it in the order established for state registration of public association, union.

State registration of flags, emblems, lapel and recognition badges of public associations, unions is carried out in accordance with the legislation on state registration of official heraldic symbols.
For state registration of a public association, union, within a month since the day of holding constituent congress, conference, general assembly or other constituent assembly, the following documents are to be presented to the Ministry of Justice, Department of Justice of Regional, Minsk City Executive Committee (hereinafter - appropriate registering body, unless otherwise provided by the present Law):

- application for state registration of the public association, union signed by not less than three members of the governing body of the public association, union;
- the Statute of the public association, union in duplicate, its electronic copy;
- protocol of the constituent congress, conference, general assembly or other constituent assembly;
- bank document confirming the payment of state due (except the cases of the payment of remission, provided for by legislative acts);

for public association - the list of founders of public association with indication of surname, name, patronymic, date of birth, citizenship, place of residence and home telephone number, place of work (studies) and office phone number, as well as personal signature of each of founders; graphic picture of organizational structures and indication of their locations. International public association also submits documents proving creation of its organizational structures in the territory of one or several foreign states (protocols of meetings or extracts from them, lists of members of public association belonging to these organizational structures). At that the documents drawn up outside the Republic of Belarus in accordance with the legislation of foreign state are accepted providing there is legalization or the apostil is placed on them unless otherwise provided by the treaties of the Republic of Belarus and shall be accompanied with the translation into one of state languages of the Republic of Belarus certified in the established order;

- for union – extracts from the protocols of meetings of governing bodies of public associations creating the union during which the decisions on acting them as the founders of the union were made, constituent agreement and also copies of statutes of public associations that form the union and copies of certificates on state registration of these public associations (only for public associations of foreign states). At that the documents of public associations of foreign states are accepted provided there is legalization or the apostil is placed on them unless otherwise provided by the treaties of the Republic of Belarus and shall be accompanied with the translation into one of state languages of the Republic of Belarus certified in the established order;

- lists of members of elected bodies of the public association, union with indication of surname, proper name, patronymic, date of birth, citizenship, place of residence and home phone number, place of work (studies) and office phone number, position in elected bodies;

- declaration of a citizen (in the case of his death - declaration of his heirs) giving the consent to use the name of this citizen in the name of public association, union (when including the name of this citizen into the name of the public association, union only);

- decision of the superior body of the public association, union on giving powers to not less than three members of the governing body of the public association, union for representing the public association, union during the procedure of state registration or in the court;

- document confirming existence of the legal address of the public association, union (place of location of governing body);

- document confirming the payment for notification about the state registration of the public association, union in a periodical printing edition specified by acts of the legislation.

For state registration of hymn, badge, pennon, tie of the public association, union if their existence is provided for by Statutes of the public association, union the following should be presented to the appropriate registering body:
application for state registration of hymn, badge, pennon, tie of the public association, union signed by not less than three members of governing body of the public association, union;

text and musical redaction (printed music) of hymn of the public association, union;

images of badge, pennon, tie of public association, union by the size of 10x10 in four copies, as well as their detailed description;

decision of authorized bodies of the public association, union on approving hymn, badge, pennon, tie of public association, union;

bank document confirming payment of state due (except for the cases of payment remission, provided for by legislative acts) - at the state registration of hymn, badge, pennon, tie of public association, union apart from state registration of public association, union.

In case if applications for state registration of a public association, union or state registration of hymn, badge, pennon, tie of the public association, union were submitted by two or more public associations, two or more unions having the same name, and (or) the same hymn, badge, pennon, tie, preference is given to the public association that submitted the application for state registration under this name and (or) hymn, badge, pennon, tie earlier than others. Other public associations, unions are suggested to change the name and (or) hymn, badge, pennon, tie.

For state registration of changes and (or) additions introduced into the Statute of public association, union the following should be presented, within a month from the day of their submission to the appropriate registering body:

application for state registration of changes and (or) additions introduced into the Statute of the public association, union and signed by not less than three members of governing body of the public association, union;

session protocol of the body authorized to introduce changes and (or) additions into the Statute of the public association, union;

original of the Statute of the public association, union;

Statute of the public association, union with introduced changes and (or) additions (new edition) in duplicate, its electronic copy;

bank document confirming payment of state due (except for the cases of payment of remission, provided for by the legislative acts).

For state registration of changes and (or) additions introduced into the Statute of the public association, union concerning changes of full and (or) abbreviated name of the public association, union besides documents indicated in part 9 of the present article into the appropriate registering body, the following should be presented:

certificate of state registration of public association, union;

declaration of a citizen (in the case of his death - declaration of his heirs) giving the consent to use the name of this citizen in the name of the public association, union (when including the name of this citizen into the name of public association, union only);

document about the payment for notification about changes of full and (or) abbreviated name of public association, union in periodical press specified by acts of legislation;

seal of public association, union.
For state registration of changes and (or) additions introduced into the Statute of public association, union concerning changes of aims, objectives, subject and methods of operation of public association, union, indication of the territory of operation of public association, union, beside the documents indicated in part nine of the present article, the certificate of state registration of the public association, union is presented into the appropriate registering body.

For state registration of organizational structures of international public association established in the territory of a foreign state, copies of Statute of international public association and certificate of registration of this international public association and other documents confirming the creation, in the established order, of the public association in the territory of the foreign state, as well as other documents confirming the creation of organizational structures of this public association in the territory of the Republic of Belarus are presented. At that the documents drawn up outside the Republic of Belarus in accordance with the legislation of foreign state are accepted provided there is their legalization or the apostil is placed on them unless otherwise provided by the treaties of the Republic of Belarus, and shall be accompanied by the translation into one of the state languages of the Republic of Belarus certified in the established order.

**Article 14. Order of consideration of documents submitted for state registration of public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union.**

Application for state registration of a public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union are considered by the appropriate registering body within a month from the day of their receipt.

Appropriate registering body is authorized to verify the authenticity of the documents of the public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union submitted for state registration.

According to the results of examination the documents submitted for state registration, appropriate registering body makes one of the following decisions:

on state registration of the public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union;

on refusal of state registration of the public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union.

State registration of public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the statute of public association, union can be suspended in the cases and in the order established by article 15 of the present Law.

Records on state registration of public association, union, changes and (or) additions introduced into the statute of public association, union are introduced into the Single State Register of Legal Persons and Individual Entrepreneurs by corresponding registering body per day of making decision on state registration in the order established by the legislation.

Corresponding state body within five working days from the day of introducing the record on state registration of public association, union into the Single State Register of Legal Persons and Individual Entrepreneurs issues the documents confirming the recording with the taxation bodies, bodies of state statistics, bodies of the Fund of Social Protection of Population of the Ministry of Labour and Social Protection of the Republic of Belarus, registration in the Belarusian Republican Unitary Insurance Enterprise “Belgosstrakh”, in the order determined by the Council of Ministers of the Republic of Belarus.
The registered public association, union are issued certificates of state registration of the public association, union, their hymns, badges, pennons, ties, and one copy of the Statute of the public association, union with a note about state registration of this public association, union. At the state registration of changes and (or) additions introduced into the Statute of public association, union the note about state registration of changes and (or) additions is to be put on the Statute of this public association, union.

At the state registration of changes and (or) additions introduced into the Statute of a public association, union and concerning changes of full and (or) abbreviated name, aims, objectives, subject and methods of operation of public association, union, indication of territory of activity of public association, union, a new record about the state registration of this public association, union is to be entered into the State register of public associations, unions, registers of local public associations, unions while the previous one is excluded and a new certificate of state registration of public association, union is to be issued.

Head of the registered public association, union may be issued a certificate in the order established by the Council of Ministers of the Republic of Belarus.

Article 15. Suspension of state registration, refusal of state registration of public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union

State registration of public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the statute of public association, union can be suspended by the corresponding registering body for the term up to one month because of violation of the established procedure of creation of public association, union approval of their hymns, badges, pennons, ties, or introduction of changes and (or) additions into the statute of public association, union if such violation has eliminable nature.

Upon the elimination, within the established term, by the public association, union of violations that has given the reason for suspension of state registration of the public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the statute of the public association, union, the consideration by the corresponding registering body of the submitted documents is carried out in the order established by the present Law.

Decision on refusal of state registration of the public association, union is made in case of:

violation of the established procedure of creation of public association, union, if such violation has irremovable nature;

inconformity of constituent documents of public association, union to the requirements of the legislation;

submission by the public association, union of other documents and (or) data which don’t conform to the requirements of the legislation, including counterfeit, falsified or invalid documents;

inconformity of the name of public association, union including abbreviated name, their symbols, as well as membership conditions of public association, union to the requirements of the legislation and (or) their constituent documents;

non-elimination, within the term of a month, by the public association, union of violations being the grounds for suspension of state registration of the public association, union.
The decision on refusal of state registration of hymns, badges, pennons, ties of public association, union is made in case of:

violation of the established procedure of approval of hymn, badge, pennon, tie, if such a violation has irremovable nature;

inconformity of hymn, badge, pennon, tie to the requirements of the legislation and (or) their constituent documents;

non-elimination, within the term of a month, of the violations being the grounds for suspension;

refusal of public association, union to satisfy legal proposal of appropriate registering body to change hymn, badge, pennon, tie.

Public association, union may be refused the state registration of changes and (or) additions introduced into the Statute of public association, union, in the case of violation of their introduction procedure, inconformity of these changes and (or) additions to the legislation or non-elimination, within the term of a month, of the violations being the grounds for suspension of state registration of these changes and (or) additions.

The appropriate registering body, within 5 days from the day of suspension of state registration or making the decision on refusal of state registration of public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union, informs in the written form the governing body of the public association, union about the decision with indication of grounds for the suspension.

If state registration of public association, union, their hymns, badges, pennons, ties, changes and (or) additions introduced into the Statute of public association, union is not carried out within the term provided by the present Law, or the decision on refusal of state registration is made based on reasons that are considered to be groundless by founders (governing body) of public association, union they can appeal against the decision by judicial means within a month from the day of its receipt.

The decision of the Ministry of Justice is appealed to the Supreme Court of the Republic of Belarus, decisions of the Departments of Justice of Regional, Minsk City Executive Committees - respectively to Regional, Minsk City Courts.

Article 16. The procedure of state registration, putting on a record of organizational structures of public association

Organizational structures of public association which have been given the rights of legal person are subject to state registration. Organizational structures of public association which have not been given the rights of legal person are subject to putting on a record.

State registration, putting on a record of organizational structures of public association are carried out by Department of Justice of Regional, Minsk City Executive Committee, district, city executive and regulatory body at the location of governing body of this organizational structure (hereinafter - appropriate department of justice, executive and regulatory body) in the order established by the present Law and other acts of legislation.

For state registration, putting on a record of organizational structures of the public association, governing body of this public association, within the term of a month from the day of taking in the established order the decision on creation of organizational structure, presents to the appropriate Department of Justice, executive and regulatory body the following documents:
application for state registration, putting on record of organizational structure of public association signed by not less than three members of the governing body of the public association;

lists of the members of elected bodies of organizational structure of the public association with indication of their positions;

document confirming existence of legal address of the organizational structure of the public association (location of governing body of this organizational structure);

bank document confirming payment of state due (except for the cases of payment of remission, provided for by legislative acts).

In the case of failure of the public association to submit all documents provided for by part three of the present article, the appropriate Department of Justice, executive and regulatory body refuse to accept application for state registration, putting on a record of organizational structure of the public association.

If it is necessary, corresponding department of justice, executive and administrative body request electronic copy of the statute of public association from the registering body. Governing body of the public association has the right to submit the copy of the statute on its own initiative.

According to the results of examination of documents submitted for state registration, putting on a record of organizational structure of the public association, the appropriate Department of Justice, executive and regulatory body within the term of a month from the day of handing in the appropriate application by the governing body of public association make one of the following decisions:

on state registration, putting on a record of organizational structure of the public association;

on refusal of state registration, putting on a record of organizational structure of the public association.

In case the documents submitted for state registration, putting on a record of organizational structure of the public association contain violations having eliminable nature and concerning shortcomings in drawing up of the documents, the state registration, putting on a record of organizational structure of the public association can be suspended by corresponding department of justice, executive and administrative body for the term of up a month.

Decision on refusal of state registration, putting on a record of organizational structure of the public association is taken in the case of:

violation of established procedure of creation of organizational structure;

inconformity of submitted documents to the requirements of the legislation;

inconformity of the name of organizational structure to the requirements of the legislation and (or) Statute of the public association;

non-elimination, within the term of a month, of the violations being the grounds for suspension of state registration, putting on a record of organizational structure of the public association.

The appropriate Department of Justice, executive and regulatory body, within five days from the day of suspension of state registration, putting on a record of organizational structure of public association or making a decision on refusal of state registration, putting on a record of organized structure of public association, inform in written form the governing body of the public association about the decision with indication of grounds for suspension or refusal.

If state registration, putting on a record of organizational structure of the public association is not performed within the term provided by the present Law or if the decision on refusal of state
registration, putting on record of organizational structure of public association has been taken based on the reasons that are considered to be groundless by the governing body of the public association, it may appeal against the decision by judicial means within a month from the day of its receipt.

The decision of appropriate Department of Justice, executive and regulatory body is appealed respectively to the regional, Minsk city, district (city) court.

Organizational structures of public associations are put on record by the appropriate Department of Justice, executive and regulatory body in the registries of organizational structures of public associations, specimens of which are to be established by the Ministry of Justice.

Activities of unregistered organizational structures of public associations or organizational structures which have not been put on record in the territory of the Republic of Belarus are prohibited.

Article 17. Excluded.

Article 18. State Register of public associations, unions

Ministry of Justice keeps the State Register of public associations, unions which includes data about international and republican public associations, unions.

Departments of Justice of regional executive committees and Minsk city Executive Committee keep Registers of local public associations, unions, corresponding data of which are sent to the Ministry of Justice for systematization within ten days from the day of their entering into register.

Records of state registration of public association, union as well as state registration of changes and (or) additions introduced into the Statute of public association, union are entered into State register of public associations by the Ministry of Justice, into registries of local public associations, unions - by Departments of Justice of regional executive committees and Minsk city executive committee in the order established by the present Law and other acts of legislation.

Article 19. Procedure of reorganization and liquidation of public association, union

Reorganization of a public association, union is performed on the decision of the superior body of this public association, union. State registration of the reorganized public associations, unions is performed in the order established by the present Law for the state registration of public associations, unions.

Public association, union is liquidated:

on decision of the superior body of this association, union;

on decision of the court in the cases provided by article 29 of the present Law.

Monetary funds and other property of a liquidated public association, union, after full satisfaction of all claims of creditors, are used for the purposes provided by constituent documents of this public association, union, if their monetary funds and other property are not subject to appropriation into the income of the State in accordance with legislative acts.
The decision of the superior body of the public association, union or of the court on liquidation of public association, union is to be sent to the appropriate registering body and published by the public association, union in periodical printed edition specified by the acts of legislation.

On the basis of the decision of the superior body of public association, union or court on liquidation of public association, union, the appropriate Department of Justice of regional, Minsk city executive committee exclude public association, union from the Registry of local public associations, unions and Ministry of Justice - from the State Register of public associations, unions. Liquidation of public association, union entails the liquidation of organizational structures of this public association, union. At that, records of state registration of organizational structures of this public association are excluded from registries of organizational structures of public associations by appropriate Department of Justice, executive and regulatory body.

CHAPTER 4

RIGHTS OF PUBLIC ASSOCIATIONS, UNIONS

Article 20. Rights of public associations, unions

Public associations, from the day of their state registration, have the following rights:

- to carry out activities aimed at achieving statutory purposes;
- to obtain and disseminate freely information concerning their activity;
- to use state mass media in the order established by the legislation;
- to create their own mass media and carry out publishing activity in the order established by the legislation;
- to protect rights and legal interests, as well as to represent legal interests of their members in state bodies and other organizations;
- to take part in preparations and holding of elections in the order established by the legislation;
- to maintain contacts with other public associations, unions;
- to create unions.

Unions have the rights provided by the present article for public associations, except for the rights provided by paragraphs seven and nine of part one of the present article.

Public association, union may carry out, in the established order, entrepreneurial activities only so far as it is necessary for their statutory purposes for which they have been formed, correspond to these purposes and correspond to the subject matter of activities of the public association, union. Such activities can be carried out by public association, union only by means of creation of commercial organizations and (or) participation in them.
Public association, union may have other rights provided by the present Law and other legislative acts.

**Article 21. Property of public association, union**

Public association, union may have in the ownership any property that is necessary for material support of activities stipulated by their constituent documents, except for objects that, according to law, may be only in the ownership of the State.

Owner of property of public association, including property of organizational structures of public association, is the public association.

Organizational structures of public association have the right to dispose of the property of public association within the limits specified by the Statute of this public association.

Organizational structures of public association which have been given the rights of legal person have separate balance sheet and current (settlement) bank account and may have other accounts in banks, non-banking credit and financial organizations.

Monetary funds of public association, union are formed from:

- entrance and membership fees (if their payment is provided by the Statute of public association, union);
- earnings from lectures, exhibitions, sport and other events held for statutory purposes;
- income from entrepreneurial activity carried out in the order established by part three of article 20 of the present Law;
- voluntary contributions;
- other sources that are not prohibited by the legislation.

Republican and local public associations are prohibited to keep monetary funds, precious metals and other valuables in banks and non-banking finance and credit organizations located in the territories of foreign states.

Monetary funds and other property of the public association, union may not be redistributed among members of this public association, union and are to be used only for statutory purposes and objectives. Public associations, unions are allowed to use their own monetary funds for charitable purposes.

Public association is not liable for obligations of its members. Members of public association are not liable for the obligations of the public association members of which they are.

Union is not liable for obligations of its members. Members of the union bear subsidiary liability for its obligations in order and in the amount provided by the constituent documents of the union.
Article 22. Protection of rights and legal interests of public associations, unions

Protection of rights and legal interests of public associations, unions is carried out in the order established by the legislation.

CHAPTER 5
SUPERVISION OVER EXECUTION OF LEGISLATION BY PUBLIC ASSOCIATIONS, UNIONS. CONTROL OF CONFORMITY OF ACTIVITY OF PUBLIC ASSOCIATION, UNION TO THE LEGISLATION AND THEIR CONSTITUENT DOCUMENTS

Article 23. Supervision over execution of legislation by public associations, unions

The General Prosecutor of the Republic of Belarus and prosecutors subordinated to him are entrusted with conducting of supervision over strict and uniform execution of laws, decrees, edicts and other normative legal acts by public associations, unions.

Article 24. Control over conformity of activity of public associations, their organizational structures, unions to the legislation and their constituent documents

Appropriate registering bodies exercise control of conformity of activity of public associations, unions to the Constitution of the Republic of Belarus, other acts of legislation and their constituent documents.

Appropriate Departments of Justice, executive and regulatory bodies exercise control of conformity of activity of organizational structures of public associations to the Constitution of the Republic of Belarus, other acts of legislation and Statutes of public associations.

Officials of appropriate registering bodies and officials of appropriate Departments of Justice, executive and regulatory bodies, within the limits of their powers, are entitled to participate in events held for statutory purposes by public associations, their organizational structures, unions, to request and obtain information about statutory activity of public associations, their organizational structures, unions, to get acquainted with their documents and decisions.
Public association, union must inform appropriate registering body about session (convocation) of its superior body not later than seven days before.

In case of changing legal address of public association, union (location of governing body), public association, union are obliged to present, within a month, to the appropriate registering body all the documents necessary for state registration of changes and (or) additions introduced into the Statute of public association, union.

Each year, public association, union present to the appropriate registering till March 1 the following:

- information about the continuation of its activity with indication of location of the governing body;
- the list of members of elected bodies of the public association, union in which are indicated surname, proper name, patronymic, date of birth, citizenship, place of residence and home phone number, place of work (studies) and office phone number, position in these elected bodies and the date of election of each member with enclosure of appropriate protocols. In case of changes of the composition of the elected bodies of public association, union necessary information is to be presented to the appropriate registering body within the term of ten days from the day of making such a decision;
- information of numerical strength of public association, union, its organizational structures, composition of union;
- information on the events held for statutory purposes by public association, union during a year.

Article 25. Control of financial and economic activity of public associations, unions

State bodies and other state organizations, within the limits of their competence, exercise control over financial and economic activity of public associations, unions.

CHAPTER 6

RESPONSIBILITY OF PUBLIC ASSOCIATIONS, UNIONS

Article 26. Measures of responsibilities

For violation of the Constitution of the Republic of Belarus, the present Law, and other acts of legislation and (or) constituent documents, following measures of responsibility may be applied in respect of a public association, union:

- written caution;
- suspension of activities of public association, union;
Public association, union which has caused any damage to a person or property of a citizen, as well as property of legal person, are obliged to compensate it in the order established by the legislation.

Other measures of responsibility and the procedure of their application may be established in respect of public association, union by legislative acts on fighting against terrorism and on counteraction of extremism.

**Article 27. Written caution**

In the case of committing by public association, union actions violating the Constitution of the Republic of Belarus, the present Law, other acts of legislation and (or) constituent documents, except for the cases when violation entails the liquidation of the public association, union on the decision of the court, appropriate registering body issues a written caution to the public association, union.

A written caution is handed out or sent to the governing body of public association, union not later than in the term of three days after its issuance with the indication of committed violations and the term given for their elimination.

The public association, union is obliged to inform the registering body in writing about the elimination of violations which have given ground for the issuance of the written caution and present confirming documents not later than three day term after the expiration of the term for the elimination of violations stated in the written caution.

The written caution issued to an international or republican public association, union may be appealed against, within the term of a month after its receipt, to the Supreme Court of the Republic of Belarus. The written caution issued to local public association, union may be appealed against, within the term of a month after its receipt, to the regional, Minsk city court at the location of the governing body of this public association, union.

**Article 28. Suspension of the activity of public association, union**

Activity of public association, union may be suspended for the term of one to six months by the decision of the court upon an application of the appropriate registering body in the case if this body has issued a written caution and the public association, union failed to eliminate violations which have given ground for the issuance of the written caution within the established term or to inform the appropriate registering body of their elimination with presentation of confirming documents.

The appropriate registering body has the right to submit an application on suspension of the activity of public association, union to the court, if the written caution was not appealed against in the court in the established order or if it was appealed against and recognized by the court to be justified.

The suspension of the activity of international and republican public associations, unions is carried out on the decision of the Supreme Court of the Republic of Belarus upon application of the Ministry of Justice.
Suspension of the activity of local public association, union is carried out on the decision of regional, Minsk city court at the location of the governing body of this public association, union upon application of the Department of Justice of regional, Minsk city executive committee.

In case of the suspension of the activity of the public association, union for the term specified by the decision of the court the public association, union is forbidden to carry out any activity, except for activity aimed at elimination of violations which have given ground for the suspension of activity.

Public association, its organizational structures, union are forbidden to use accounts in banks and non-banking credit and financial organizations in the case of the suspension of their activity, except for making settlements on civil and labor contracts, payments to the republican and (or) local budgets, including state specific budget funds, to state non-budget funds, as well as settlements connected with compensation of damages caused by the activities of public association, its organizational structures, union.

If violations which have given grounds for the suspension of activity of public association, union are removed within the term of the suspension of activity of public association, union then, upon expiration of the established term, the public association, union renew their activity subject to a written notification to the appropriate registering body, not later than ten days before expiration of the period of suspension of activity of public association, about the elimination of indicated violations with the presentation of confirming documents.

**Article 29. Liquidation of public association, union on decision of the court**

Public association, union is liquidated on decision of the court in the case of:

- carrying out by a public association, a union propaganda of war or extremist activities;

- violation by public association, union of the legislation and (or) their constituent documents within a year after delivery of a written caution;

- if, at the state registration of the public association, union founders, committed violations of the present Law and (or) other acts of legislation that have irremovable nature;

- non-elimination, within the term specified by the decision of the court, of violations which have given ground for the suspension of activity of the public association, union.

The public association, union can be liquidated on the decision of the court for a single violation of legislation on the mass events in the cases provided by the legislative acts, as well as for the violation by public association, its organizational structure, union of the requirements established by the legislation for the use of foreign grants.

The liquidation of international and republican public associations, unions is carried out on the decision of the Supreme Court of the Republic of Belarus upon application of the Ministry of Justice.
The liquidation of local public association, union is carried out on the decision of Regional, Minsk City Court at the location of governing body of this public association, union upon application of Department of Justice of regional, Minsk city executive committee.

CHAPTER 7
INTERNATIONAL RELATIONS OF PUBLIC ASSOCIATIONS, UNIONS. TREATIES

Article 30. International relations of public associations, unions

Public associations, unions, in accordance with their constituent documents, may take part in establishment of international public associations, unions in the territory of foreign states, join international public associations, unions established in the territory of foreign states. Public associations, unions may maintain direct international contacts and relations, conclude appropriate agreements, and carry out other activity that does not contradict the legislation of the Republic of Belarus, including treaties of the Republic of Belarus.

Article 31. Treaties

If the treaties of the Republic of Belarus set forth other rules then those contained in the present Law, the rules of treaties are applied.

* unofficial translation *