

THE LAW OF THE REPUBLIC OF UZBEKISTAN
«ON FINANCING OF POLITICAL PARTIES»

(The collection of legislation of the Republic of Uzbekistan, 2004, № 21, art. 248)
(Law of the Republic of Uzbekistan dated December 29, 2015 № ZRU-396 - NW RU, 2015, № 52, page 645,)

I. GENERAL PROVISIONS

Article 1. The aim of this Law

The aim of this Law is to regulate relations in the sphere of financing of political parties.

Article 2. The legislation on financing of political parties

The legislation on financing of political parties consists of the present Law, the Law of the Republic of Uzbekistan «On political parties» and other acts of legislation.

Article 3. Sources of financing of political parties

Sources of financing of political parties are:
admission and membership fees, if their payment is provided for in the charter of the political party;
income received from entrepreneurial activities in accordance with legislation;
funds of the state budget allocated in accordance with the present Law;
donations of legal entities and citizens of the Republic of Uzbekistan made in accordance with the present Law.

Article 4. Basic principles of financing of political parties

Basic principles of financing of political parties are legality, openness, transparency and equality of political parties.

Article 5. Availability of information on financing of political parties

Political parties ensure the availability of information on financing of them to their members and to the general public.

Political parties must publish information on the level and sources of financing of their activities.

Article 6. The targeted use of financial and other funds by political parties

Political parties use financial and other funds for purposes provided for in law and in their charters. Use of those funds for other purposes is prohibited.

Property and cash assets of political parties cannot be re-distributed among the members of political parties.

Political parties, their organizations are prohibited to have bank accounts in more than one bank or accounts in foreign banks.

(Article 6 the third part change wording Law of the Republic of Uzbekistan dated December 29, 2015 № ZRU-396 - NW RU, 2015, № 52, page 645, Art.29)

"Political parties can have the following deposit account in a bank:
 main account - for deposit, use and control of the allocated funds of the State Budget of the Republic of Uzbekistan;
 two secondary accounts for deposit and the use of funds:
 a) from membership fees, donations and other sources which not prohibited by law;
 b) from the non-budgetary Pension Fund under the Ministry of Finance of the Republic of Uzbekistan";

(Article 6 supplemented by part four of the Law of the Republic of Uzbekistan dated December 29, 2015 № ZRU-396 - NWRU, 2015, № 52, page 645, Art.29)

II. PUBLIC FINANCING OF POLITICAL PARTIES

Article 7. Public financing of statutory activities of political parties

A political party has a right to receive public funds for financing of its statutory activities, if as a result of elections to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan (hereafter referred to as «the Legislative chamber»), it has gained the required number of seats for forming a faction of a political party in the Legislative chamber in accordance with the Constitutional law of the Republic of Uzbekistan «On the Legislative chamber of the Oliy Majlis of the Republic of Uzbekistan».

An annual level of allocated public funds for financing statutory activities of political parties is formed on the basis of two percent of the minimum wage, established at January 1 of the year preceding the year of allocation of those funds, multiplied by the number of citizens included in the list of voters at the last elections to the Legislative chamber.

Public funds indicated in the second paragraph of this article, based on the results of the last elections to the Legislative chamber established by the Central election commission of the Republic of Uzbekistan, are distributed by the Ministry of Justice of the Republic of Uzbekistan among political parties which are entitled to receive them, proportionally to the number of seats gained by them in the Legislative Chamber of the Oliy Majlis in accordance with the procedure established by the Cabinet of Ministries of the Republic of Uzbekistan.

Article 8. Public financing of participation of political parties in the elections to the Legislative chamber and to other representative bodies of state power

Financing of participation of political parties in the elections to the Legislative chamber and other representative bodies of state power is carried out in accordance with procedure established only at the expense of public funds, allocated for those purposes. Financing and other material support of political parties in the elections at the expense of other funds is prohibited.

The level of public funds allocated for financing of participation of political parties in the elections to the Legislative chamber, per candidate for a deputy, is determined by the Central election commission of the Republic of Uzbekistan.

Public funds for financing of participation of political parties in the elections to the Legislative chamber are transferred in accordance with procedure established to the settlement account of a political party, following the registration of candidates for deputies of the Legislative Chamber nominated from this party, in the level proportional to the number of registered deputies.

Public funds, allocated for financing of participation of political parties in the elections to the Legislative chamber, must be spent by a political party on:
 publication of means of a visual election campaign;

organization of TV, radio and other mass media appearances of candidates for deputies of the Legislative chamber;

organization of meetings of candidates for deputies of the Legislative chamber with voters;

organization of work of proxies of candidates for deputies of the Legislative chamber and other most active members attracted to carry out election campaign directly in the constituency;

all party activities on carrying out election campaign.

If as a result of the elections to the Legislative chamber a political party has not gained a required number of seats to form a faction, then state funds allocated for financing of participation of a political party in the elections to the Legislative chamber are to be returned to the state budget of the Republic of Uzbekistan at the expense of this political party, received from other sources.

Article 9. Public financing of activities of factions of political parties in the Legislative chamber

Public funds for organizational, technical and other support of activities of factions of political parties in the Legislative chamber are provided for in an estimate of costs of the Legislative chamber.

Article 10. Sources of public financing and the procedure for its allocation

The source of public financing of political parties is a state budget of the Republic of Uzbekistan.

Public funds allocated for financing of political parties are transferred to ~~settlement~~ bank accounts of political parties in accordance with the procedure established.

Public funds not used by a political party during a fiscal year shall not be returned to the State Budget of the Republic of Uzbekistan and can be used fund their statutory activities in the coming years.

A political party is entitled to refuse to receive public funds.

(Article 10- the second part of the word "settlement" to replace the word "bank", the third part in the following wording (above written) the Law of the Republic of Uzbekistan dated December 29, 2015 № ZRU-396 - NW RU, 2015, № 52, page 645, Art.29)

Article 11. Suspension or cessation of public financing of political party

Public financing of a political party is suspended or ceased in the event of suspension or cessation of its activity.

The grounds on which public financing of statutory activities of a political party can also be suspended or ceased are:

reorganization (except for an amalgamation and a merger into other political parties) of a political party in accordance with the procedure established by legislation;

Failure of political parties to comply with requirements provided for in the articles 16 and 17 of this Law;

Improper use of public funds by a political party, including the use of funds allocated for statutory activities for financing of participation in the elections.

A decision on suspension or cessation of public financing of statutory activities of political parties on the grounds provided for in the second part of this article is taken by the

Ministry of Justice of the Republic of Uzbekistan. A decision on suspension or cessation of public financing can be appealed by a political party to the Supreme Court of the Republic of Uzbekistan.

During the reorganization of a political party by means of an amalgamation and a merger, the successor of a political party has the right to state financing.

III. DONATIONS TO POLITICAL PARTIES

Article 12. The right of political parties to receive donations from legal entities and citizens of the Republic of Uzbekistan

Political parties have the right to receive donations exclusively from legal entities (except for foreign-owned enterprises) and citizens of the Republic of Uzbekistan both in the monetary form and by means of property transfer, rendering of services, performance of work and only for carrying out statutory activities.

Donations of legal entities and citizens of the Republic of Uzbekistan is carried out voluntarily and only from own funds, except for received from sources, indicated in the first and second parts of article 15 of this Law.

Limitations, provided for in the article 15 of this Law, shall not apply to salary of citizens of the Republic of Uzbekistan, received by them in the capacity of workers of foreign-owned enterprises.

A political party is entitled to refuse donations.

Article 13. Donations from legal entities of the Republic of Uzbekistan

The amount of donations, received by a political party from one legal entity of the Republic of Uzbekistan during a year must not exceed five thousand fold of a minimum wage, set at January 1 of the year when donations are made.

A legal entity of the Republic of Uzbekistan when transferring donations to a political party in the monetary form transfers them to a settlement account of a political party by indicating information provided for in the rules of the cashless transfer for legal entities and puts a mark on the bank transfer order form indicating the absence of restrictions on donations provided for in the article 15 of this Law.

Donations exceeding the amount indicated in the first part of this article, a political party during a month from the day of their receipt should return them to a donor, and if their return is impossible, be surrendered to the state revenue.

Article 14. Donation of citizens of the Republic of Uzbekistan

The amount of donations, received by a political party from one citizen of the Republic of Uzbekistan during a year must not exceed five thousand fold of a minimum wage, set at January 1 of the year when donations are made. This limitation does not apply to membership fees, paid by members of a political party in accordance with its charter.

A citizen of the Republic of Uzbekistan when transferring donations to a political party in the monetary form transfers them to a settlement account of a political party personally from his own funds by presenting a passport or a replacement document and by indicating in the bank transfer order form or in the money transfer his surname, name, patronymic and passport details.

Donations exceeding the amount indicated in the first part of this article, a political party during a month from the day of their receipt must return them to a donor, and if their return is impossible, be surrendered to the state revenue.

Article 15. Limitations on donations to political parties

Donations in the monetary form, transfer of property, rendering of services, (including, by means of giving grants, rendering technical assistance, payment of expenses related to travel as well as training courses, seminars, conferences held in the territory of the Republic of Uzbekistan and abroad) to political parties is not permitted by:

- foreign countries;
- legal entities of foreign countries, their representative offices and branch offices;
- international organizations and their representative offices and branch offices;
- foreign-owned enterprise;
- foreign citizens;
- persons without citizenship.

Donations in the monetary form, transfer of property, rendering of services to political parties by self-governing bodies, religious organizations and anonymous persons or persons under a pseudonym is not permitted either.

Donations indicated in the first and second parts of this article within a month from the day of its receipt must be returned to donors, and if their return is impossible, be surrendered to the state revenue.

IV. CONTROL OVER THE INFLOW AND THE TARGETED USE OF FINANCIAL AND OTHER FUNDS BY POLITICAL PARTIES

Article 16. Financial accountability of political parties

Political parties carry out financial and bookkeeping reporting in the manner and time established by legislation.

A political party is obliged to present annually in the manner and time established by legislation a financial report on the inflow and the expenditure of financial and other funds in the accounting period to financial organs, organs of state tax services, Counting chamber of the Ministry of Finance of the Republic of Uzbekistan and the Ministry of Justice of the Republic of Uzbekistan.

A financial report of a political party must contain information on sources and amounts of funds, arrived to a settlement account of a political party in the accounting period, the expenditure of those funds, property of a political party, indicating its value and its state registration.

In the case of receiving donations from legal entities and citizens of the Republic of Uzbekistan in a non-cash form (not in a monetary form), a political party shall value them in monetary terms in accordance with the legislation of the Republic of Uzbekistan and shall include corresponding data, including information on donors, in the financial report of a political party.

In the financial report of a political party a separate column on the inflow of public funds and their expenditure shall be provided for. At the same time, funds used by a political party for participation in the elections to the Legislative chamber are considered separately.

Article 17. Reports of political parties on sources of financing

Political parties annually publish their budgets to the public and in the established manner present reports on sources of financing of its activities to the Legislative chamber or an authorized organ thereof.

Conclusion of the Central election commission, Counting Commission and the Ministry of Justice of the Republic of Uzbekistan on the inflow to the settlement account of a party and the expenditure in the fiscal year of public funds for financing of its participation in the elections to the Legislative chamber and its statutory activities is attached to the report of a political party.

A report of a political party on sources of financing shall be considered with the invitation of representatives of the mass media and interested organizations.

Article 18. Control over the inflow and the expenditure of financial and other funds by political parties

Control over the inflow and the targeted use of financial and other funds by political parties is carried out by the Counting chamber of the Republic of Uzbekistan.

Examination (audit) of the inflow and the targeted use of financial and other funds by political parties can also be carried out by the Legislative chamber pursuant to the request of a group of deputies consisting of not less than one tenth of the total number of deputies of Legislative chamber.

V. CONCLUDING PROVISIONS

Article 19. Appealing against the decisions of state organs and action (inaction) of their officials on the questions of financing of political parties

A political party can appeal against the decisions of corresponding state organs and action (inaction) of their officials on the questions of financing of its activities to the Supreme Court of the Republic of Uzbekistan.

Article 20. Dispute resolution

Disputes in the sphere of financing of political parties are resolved in the manner established by legislation.

Article 21. Responsibility for violation of legislation on financing of political parties

Persons, accused of violating legislation on financing of political parties, bear responsibility in the prescribed manner.

President of the Republic of Uzbekistan

I.KARIMOV

Tashkent,
April 30, 2004,
№ 617-II