

Approved by [Decision 31/141-6](#)  
dated on December 30, 2008  
amended by the decision # 10/41,  
July 26, 2016, # 1/2 dated 15  
March 2019 of the Central  
Election Commission of the  
Republic of Azerbaijan

Agreed with:

Chair of Council of Directors  
Of the Chamber of Financial Markets  
of the Republic of Azerbaijan

\_\_\_\_\_R.J.ASLANLI

Chairman of the Central  
Election Commission

\_\_\_\_\_M.M.PANAHOV

## INSTRUCTION

### **on the rules for receipt of monetary resources to financial funds on referendum of referendum campaign groups, conducting of records of expenses and accounting rules**

The Instruction has been prepared pursuant to Article 90, 94 and 128 of the Election Code of the Republic of Azerbaijan (hereafter referred to as Election Code) and defines rules for receipt of monetary resources to financial funds of referendum initiative (campaign) groups, conducting of records of expenses and accounting rules pursuant to Law "On Banks" of the Republic of Azerbaijan.

The maximum limit of the financial fund on referendum of the referendum campaign group the number of whose members exceeds two thousands and more, cannot be more than 50 thousands manats. The maximum limit of the financial fund on referendum of the referendum campaign group the number of whose members exceeds twenty thousands and more, cannot be more than one million manats. The maximum limit of the financial fund on referendum of the referendum campaign group the number of whose members exceeds forty thousands and more, cannot be more than five millions manats.

#### **1. The sources of financial funds on referendum of the referendum initiative (campaign) group:**

1.1. Financial funds on referendum of the referendum initiative (campaign) group shall be formed only from the following monetary means:

1.1.1. Special funds of the referendum initiative (campaign) group providing that not to exceed five thousands manats;

1.1.2. *Excluded*;

1.1.3. Voluntary donations provided by citizens not exceeding 1000 manats and by legal

entities not exceeding 10 thousands manats.

1.2 The following shall be prohibited from rendering voluntary donations and assistance in natural form or through service provision to financial funds on referendum of the referendum initiative (campaign) group:

1.2.1 Foreign countries and foreign legal entities;

1.2.2 Foreign citizens;

1.2.3 Persons without citizenship;

1.2.4 Citizens who are under 18 years of age;

1.2.5 Legal entities of the republic of Azerbaijan, if on the day of official publication of the decision (order) that appoints referendum, more than 30% of the charter (property) capital of the legal entity of the Republic of Azerbaijan belongs to the persons mentioned above;

1.2.6 International organizations and international public movements;

1.2.7 State bodies, and municipalities;

1.2.8 State and municipal organizations and offices;

1.2.9 If on the day of official publication of the decision (order) to define elections, legal entities, with more than 30% of the charter capital belonging to state or municipality;

1.2.10 Military units;

1.2.11 Charitable organizations, religious associations, offices and organizations;

1.2.12 Anonymous donation provider who does not indicate one of the following pieces of information (*for a citizen – name, surname, patronymic, batch and serial number, date of issue, of his/her identification document or a document substituting it; for a legal entity – identification number of taxpayer, name, date of registration, bank account, state and municipal share in the charter capital, and in case, there are such shares - their proportion, as well as proportion of a foreign share in the charter capital or providing of incorrect information about such proportion.*)

## **2. Rules for transferring and spending of financial funds on referendum of the referendum initiative (campaign) group**

2.1. Voluntary donations shall be transferred through post offices and banks. These donations shall be accepted from the citizens of the Republic of Azerbaijan on the basis of submission of identification document or a document, which substitutes it and should contain information about surname, name, patronymic and date of birth.

2.2. Voluntary donations of legal entities shall be received by bank transfer to the election fund and contain information about whether legal entities have state, municipal or foreign share in their charter capital or not, in case, there are such shares, their proportion, the name of a legal entity, date of registration, identification number of taxpayer and bank account information.

2.3. Voluntary donations of physical and legal entities shall be transferred to the specific election account through post offices and banks not later than 2 days after they receive the relevant payment document.

2.4. If donations are transferred to the financial funds on referendum of the referendum initiative (campaign) group by the subjects who do not have right to do that pursuant to Article 90.2 of Election Code and Article 1.2 of this Instruction, or if amount of donation is more than the amount mentioned in Election Code, the relevant bank shall inform the

relevant election commission in accordance with Appendix # 1 to this Instruction.

2.5. If voluntary donations are transferred to the financial funds on referendum of the referendum initiative (campaign) group by citizens and legal entities who do not have right to do that, or if amount of donation is more than the amount mentioned in Article 128 of Election Code, the authorized representative on financial issues of the referendum campaign group should return the whole amount or a part of it which exceeds the required amount to the donator within 10 days after its receipt, indicating the reasons for bank transfer and deducting expenses for transfer. If the amount of donation is not returned to the donator within the mentioned period, the relevant bank should return the whole amount of donation to the donator and inform about this the relevant election commission in writing.

2.6. Anonymous donations entered specific election accounts shall be transferred to the state budget in accordance with Article 93.7 of the Election Code.

2.7. If anonymous donations are not transferred to the state budget within 10 days, the bank should transfer this donation as a whole to the state budget and inform about this the relevant election commission in writing.

2.8. All financial transactions on specific election accounts of the referendum campaign group shall be stopped within 3 days after the voting day.

2.9. The relevant bank with the instruction of the relevant election commission shall stop other financial transactions mentioned in Article 91.4 of Election Code to pay expenses from the specific election accounts of candidates.

2.10. The Central Election Commission can prolong the period of financial operations on the basis of the funding of the referendum campaign group in following cases defined by Article 92.1:

2.10.1. For covering expenses of the referendum campaign group for the implemented activities, before they received refusal of registration;

2.10.2. For covering expenses for the activities implemented till submitting signature sheets and other documents for registration within the period defined by Election Code when the initiators of establishing the campaign this group and in this case, the number of the initiators of establishing the referendum campaign group is less than the number defined by Article 63 of Election Code;

2.10.3. For covering expenses for the activities implemented till the adoption of the decision on cancellation of the registered referendum campaign group;

2.10.4. Other cases, which require covering the expenses spent for the actions up to the voting day by the referendum campaign group.

2.11. The referendum campaign group shall use money transferred to their financial funds on referendum accounts up to the voting day in case defined by Election Code. The referendum campaign group shall be prohibited to use another funding other than entered the financial fund on referendum for pre-election campaign activity and collection of signatures.

### **3. Report on Election Funds**

3.1. The relevant bank shall submit a report to the relevant election commission on circumstances mentioned in the Election Code and in the items 1.2, 2.9, 2.10, 2.11 and in the 3<sup>rd</sup> part of this Instruction.

3.2. The relevant bank shall inform the relevant election commission on the funding entered specific election account of the referendum campaign group and spent in accordance with Appendix # 1 made to Instruction not less than once in a week and when there remain less than 10 days up to the voting day not less than once within 3

banking days.

3.3. The referendum initiative (campaign) group is obliged to conduct record of entering and expenditure of their financial resources.

3.4. The referendum campaign groups shall submit their financial report to the relevant election commission as follows (Appendix # 2 made to Instruction):

3.4.1. First initial financial report shall be submitted to the relevant election commission in accordance with the rules defined by Election Code together with required documents for registration; this report shall contain information for the period two days prior to the date indicated in report;

3.4.2. Second initial financial report shall be submitted at earliest 20 days and at least 10 days prior to the Election Day; this report shall contain information for the period of 7 days prior to the date indicated there in;

3.4.3. Final financial report shall be submitted at latest 10 days after final results of referendum officially published; initial financial documents on the collection and expenditure of financial funds shall be attached to the final financial report.

3.5. Providing with financial report by the referendum campaign group shall be tasked to their authorized representative financial issues.

(Name of the referendum initiative (campaign) group)

## I N F O R M A T I O N

“ \_\_\_\_\_ ” \_\_\_\_\_ 20\_\_\_\_ on special account on referendum

### Funds transfered to special account on referendum

#	Date	Subject of operation	Received, including:				
			Sum	special funds of the campaign group on referenda	Donations transfered by citizens	Donations transfered by legal entities	Other inflows
Total							

Note: Details of article “other inflows”:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Funds used from the special account on referendum

#	Date	Subject of operation	Spent, including:			
			Sum	For organizational-technical actions for collection of signatures to establish referendum campaign group	For payment of expenses regarding pre-referendum campaign, as well as information and consulting services	For payment of expenses regarding other works during the conduct of referendum performed by legal entities and citizens
Total						

Note: Details of article “other inflows”:

\_\_\_\_\_

---

---

Chairman of Bank

Chief Accountant  
(stamp)

“        ” \_\_\_\_\_ 20 \_\_\_\_\_

**FINANCIAL REPORT**  
**on incomes and expenses made to or from the financial fund of the referendum initiative**  
**(campaign) group**

(In manats)

	Name of a bank opening a special account on referendum		
	Number of a special account on referendum		
	Components of income and expenses		
<b>I</b>	<b>Sum of Income</b>		
1	Special funds of the referendum campaign group		
2	Voluntary donations of persons		
3	Voluntary donations of legal entities		
<b>II</b>	<b>Sum of Expenses</b>		
1	Financing the organizational-technical actions for collection of signatures for the establishment the referendum campaign group, as well as to pay for relevant persons collecting voters' signatures		
2	Payment of expenses regarding pre-referendum campaign, as well as information and consulting services		
3	Expenses regarding other works during the conduction of referendum performed by legal entities and citizens		
<b>III</b>	<b>Funds on referendum remained by the voting day</b>		
1	Remained monetary funds that should be returned to the current accounts of donor citizens and legal entities		

Authorized representative on financial issues  
of the referendum initiative (campaign) group \_\_\_\_\_  
(surname, name and patronymic)

\_\_\_\_\_  
(signature)