

European political parties and European political foundations: statute and funding

2012/0237(COD) - 16/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 539 votes to 103 with 20 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations.

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary were the result of a compromise between Parliament and Council. They amend the Commission's proposal as follows:

Purpose: The Regulation laid down the conditions governing the statute and funding of political parties at European level and political foundations at European level. A 'political party' was defined as an association of citizens, which pursued political objectives, and was either recognised by, or established in accordance with, the legal order of at least one Member State.

Governance of European political parties: the statutes of a European political party should comply with the applicable law of the Member State in which it had its seat. Its name and logo must be clearly distinguishable from those of any existing European political party and European political foundation. As well as a political programme, the statute should contain a statement that it did not pursue profit goals, and set out its administrative and financial organisation and procedures.

Authority: Parliament and Council agreed on establishing an Authority for European political parties and foundations for the purpose of **registration, control and sanctions**. Registration should be necessary to obtain the European legal status, which entails a series of rights and obligations. To avoid any possible conflict of interests, the Authority should be **independent**. It should have sufficient funding and its **seat should be in the European Parliament**.

The Director of the Authority shall be appointed for a five-year non-renewable term by the European Parliament, the Council and the European Commission by common accord, on the basis of proposals made by a selection committee composed of the Secretary Generals of those three institutions following an open call for candidates.

The Authority should **verify regularly** that the conditions and requirements related to the registration of European political parties or European political foundations continue to be met.

Decisions to **de-register** a European political party or a European political foundation on the grounds set out in the regulation should be communicated to the European Parliament and Council. Where Parliament or Council objected, the party or foundation should remain registered.

Register: the Authority should establish a Register on European political parties and European political foundations. Information from the Register shall be available on line.

Committee: a Committee of independent eminent persons would be established. It

Should consist of **six members**, with the European Parliament, the Council and the Commission each appointing two members. When requested by the Authority, the Committee shall **give an opinion** on any possible manifest and serious breach of the values on which the European Union is founded by a European political party or a European political foundation.

Acquisition of European legal personality: the European political party and the European political foundation should acquire European legal personality on the date of publication in the Official Journal of the European Union of the decision of the Authority to register it. The acquisition of European legal personality should be considered as a conversion of the national legal personality into a successor European legal personality.

Financing : the co-legislators agreed that financial contributions or grants from the general budget of the European Union should not exceed **85 %** of the annual reimbursable expenditure indicated in the budget of a European political party and 85 % of the eligible

Expenditure reimbursable through a financial contribution shall include administrative expenditure and expenditure linked to technical assistance, meetings, research, cross-border events, studies, information and publications, as well as expenditure linked to campaigns.

Donations and contributions: European political parties and European political foundations may accept donations from natural or legal persons of up to a value of **EUR 18 000** per year and per donor.

For donations from natural persons the value of which is **more than EUR 1 500 and below or equal to EUR 3 000**, the European political party or European political foundation shall indicate whether the corresponding donors have provided prior written consent to publication.

A European political party and a European political foundation should not accept: (i) donations from any public authority, from a Member State or a third country or from any undertaking over which such a public authority may exercise directly or indirectly a dominant influence; (ii) donations from any **private entities based in a third country** or from individuals from a third country who are not entitled to vote in European elections.

Control and Sanctions: control on compliance by European political parties and European political foundations with the obligations under the Regulation should be exercised, in cooperation, by the Authority, the Authorising Officer of the European Parliament and by the competent Member States.

The following **financial sanctions** should be applied:

- in cases of **non-quantifiable offences**, a fixed percentage of the annual budget of the European political party or European political foundation: 5%; or 7.5 % if there are concurrent offences; or 20 % if it is a repeated offence; a third of the percentages above if the European political party or European political foundation has voluntarily declared the offence ;
- **in cases of quantifiable offences**, a fixed percentage of the amount of the irregular sums perceived or not reported as according to a scale, with a maximum of 10 % of the annual budget of the concerned European political party or European political foundation: 100 % of the irregular sums perceived or not reported if it is less than or equal to EUR 50 000 to 300 % of the irregular sums perceived or not reported if it is less than or equal than EUR 250 000 or higher.

The representatives of the European political party, the European political foundation or the applicant concerned should have the **right to be heard** before the Authority or the Authorising Officer of the European Parliament takes a decision which may adversely affect their rights.