

Act on Funding for Political Parties, etc. (Political Parties Funding (Consolidation) Act)

The following is a consolidation of the Act on Funding for Political Parties, etc. (*lov om økonomisk støtte til politiske partier m.v. (partistøtteloven)*), see Consolidation Act No. 973 of 11 August 2017.

General provisions

1.-(1) The purpose of this Act is to support political activities in Denmark at national, regional and municipal level.

(2) In this Act, 'political activities' means any activity intended to promote the election of one or more candidates in Denmark or to promote a particular outcome of a referendum in Denmark by –

- (i) spreading particular political views;
- (ii) setting up and running organisations;
- (iii) collaborating with other organisations; or
- (iv) otherwise.

(3) Subsidies paid out under this Act must be spent on political activities in Denmark for the benefit of the subsidy recipient's organisation or members or for the benefit of other organisations within or outside the relevant area or for the benefit of the electorate within the relevant area.

(4) Where funds are expected to be paid out or have been paid out for political activities under other legislation, the expenses related to such activities cannot be included in any statement under this Act of expenses expected to be incurred or already incurred in connection with political activities. The same applies where other subsidies paid out under this Act are expected to be spent or already have been spent on political activities.

Eligibility for funding and amount of funding

2.-(1) Any party participating in the most recent general election is entitled to receive subsidies for the party's political activities in Denmark. The annual subsidy is DKK 22.30 for each vote cast for that party in the election, but see subsection (3).

(2) Any independent candidate not standing on a party list in the most recent general election is entitled to receive subsidies for his or her political activities in Denmark. The annual subsidy is DKK 22.30 for each vote cast for the candidate in the election, but see subsection (3).

(3) No subsidies are granted to parties and independent candidates receiving less than 1,000 of the votes cast in the election.

3.-(1) Any list of candidates participating in the most recent regional election is entitled to receive subsidies for the political activities of the list in the region. The annual subsidy is DKK 2.50 for each vote cast for the list in the election, but see subsections (2) and (3).

(2) No subsidies are granted to lists of candidates receiving less than 500 of the votes cast in the election, but see subsection (3).



(3) Notwithstanding the provision of subsection (2), subsidies are granted to lists of candidates having formed an electoral alliance under the Local and Regional Government Elections Act (*lov om kommunale og regionale valg*) provided that the electoral alliance received at least 500 votes.

4.-(1) Any list of candidates participating in the most recent local election is entitled to receive subsidies for the political activities of the list in the municipality. The annual subsidy is DKK 4 for each vote cast for the list in the election, but see subsections (2) and (3).

(2) No subsidies are granted to lists of candidates receiving less than 100 of the votes cast in the election (in the City of Copenhagen 500 of the votes cast), but see subsection (3).

(3) Notwithstanding the provision of subsection (2), subsidies are granted to lists of candidates having formed an electoral alliance under the Local and Regional Government Elections Act (*lov om kommunale og regionale valg*) provided that the electoral alliance received at least 100 of the votes cast (in the City of Copenhagen 500 of the votes cast).

State funding

5.-(1) Parties and independent candidates wishing to receive subsidies under section 2 must submit an application for such subsidies to the Minister for Social Affairs and the Interior, who will decide whether the conditions are met for granting such subsidies.

(2) An application for subsidies must be submitted for each calendar year for which subsidies are requested and before the end of that calendar year. The application must be signed by the national leader of the political party or by the independent candidate as appropriate.

(3) Subsidies granted are paid into the bank account of the national political party or the independent candidate specified in the application.

6.-(1) Subsidies granted under section 2 are paid out for one calendar year. The first payment of subsidies is made for the calendar year following the calendar year of the general election, but see subsection (2), and the last payment is made for the calendar year of the next general election.

(2) If the subsidy recipient did not participate in the preceding general election or did not receive at least 1,000 of the votes cast in that election, the first payment of subsidies under section 2 is made for the remaining part of the calendar year of the general election. Subsidies are paid out as a proportionate share of the annual subsidy amount for the period commencing at the end of the month of the general election.

(3) Subsidies are paid out as a lump sum, but see section 7(3), when the Minister for Social Affairs and the Interior has ascertained that the conditions for the payment of subsidies are met. Subsidies cannot be paid out prior to the relevant calendar year.

7.-(1) Subsidies granted under section 2 can be paid out only where the subsidy recipient expects to incur expenses in connection with political activities in Denmark in the relevant calendar year.

(2) Subsidies granted under section 2 can be paid out on the condition that the subsidy recipient has submitted a declaration to the Minister for Social Affairs and the Interior stipulating the minimum expenses expected to be incurred in connection with political activities in Denmark in the relevant calendar year. The declaration must be submitted before the end of the relevant calendar year. The second sentence of section 5(2) applies with the necessary modifications to the submission of such declaration.

(3) If the subsidies paid out under subsection (1) are lower than the subsidies payable under section 2, a supplementary application can be submitted in the relevant calendar year. Subsidies can be paid out on the basis of a supplementary application only to the extent specified in subsection (1) and on the condition that the subsidy recipient has submitted a supplementary declaration as specified in subsection (2) to the Minister for Social Affairs and the Interior. The supplementary application and the supplementary declaration must be submitted before the



end of the relevant calendar year. The second sentence of section 5(2) applies with the necessary modifications to the submission of such supplementary application and supplementary declaration.

7a.-(1) If a subsidy recipient has received subsidies under section 2 for one or more preceding calendar years, it follows from section 7(1) that the payment of the full subsidy amount for the current calendar year is subject to the condition that the expenses incurred in connection with political activities in Denmark in the most recent calendar year in which subsidies were received must correspond at least to the full subsidy amount for that calendar year. This requirement does not apply if the most recent calendar year in which subsidies were received precedes the calendar year of the previous general election.

(2) If the expenses incurred in connection with political activities in Denmark in the most recent calendar year as specified in subsection (1) correspond only in part to the full subsidy for that calendar year, an amount equal to the non-expended portion of the subsidy amount will be deducted before subsidies granted under section 2 for the current calendar year are paid out.

(3) If the subsidy recipient has received subsidies under section 2 for one or more preceding calendar years, the subsidies for the current calendar year can be paid out, except in very special circumstances, solely on the condition that the subsidy recipient has submitted a declaration to the Minister for Social Affairs and the Interior stipulating the minimum expenses incurred in connection with political activities in Denmark in the relevant most recent calendar year as specified in subsection (1). The declaration must be submitted before the end of the current calendar year. The second sentence of section 5(2) applies with the necessary modifications to the submission of such declaration.

7b.-(1) For political parties falling within section 3 of the Act on Private Contributions to Political Parties and the Publication of Annual Accounts of Political Parties (*lov om private bidrag til politiske partier og offentliggørelse af politiske partiers regnskaber*), subsidies granted under section 2 of this Act can be paid out on the conditions that the most recent annual accounts that the party is obliged to prepare under the Act on Private Contributions to Political Parties and the Publication of Annual Accounts of Political Parties have been submitted to the Minister for Social Affairs and the Interior and that the annual accounts disclose the information required under section 3 of the said Act. The annual accounts must be submitted before the end of the calendar year for which subsidies are requested.

(2) For the parties specified in subsection (1), subsidies granted under section 2 of this Act can be paid out on the additional condition that an auditor approved under the Act on Approved Auditors and Audit Firms (*revisorloven*) has certified, by means of a declaration as specified in section 7a(3), that the minimum expenses incurred in connection with political activities in Denmark in the most recent calendar year as specified in section 7a(1) equal the expenses specified in the declaration.

7c. The Auditor General can directly require recipients of subsidies under section 2 to present for scrutiny the accounting records for the subsidies granted under section 2 which are deemed by the Auditor General to be essential for determining whether the conditions for subsidies under this Act have been met and whether the subsidies have been spent in accordance with this Act. Otherwise, the Act on Audits of State Financial Statements, etc. (*lov om revisionen af statens regnskaber m.m.*) applies to the scrutiny process referred to in the first sentence hereof, except for section 4, section 6(1), section 16, section 17(3) and section 18(2).

7d.-(1) Subsidies granted under section 2(2) are paid out to independent candidates on the additional condition that the candidate has submitted a declaration to the Minister for Social Affairs and the Interior stating whether the candidate has received one or more donations from the same private donor exceeding a total of DKK 20,000. If that is the case, the donor's name and address must be disclosed. The declaration must also state the total amount of any



anonymous donations received by the candidate. The declaration must be submitted before the end of the calendar year for which subsidies are requested.

(2) The Ministry of Social Affairs and the Interior must upload to its website within a reasonable period after receipt the declarations submitted to the Ministry under subsection (1).

Regional funding

8.-(1) Lists of candidates wishing to receive subsidies under section 3 must submit an application for such subsidies to the Regional Council, which will decide whether the conditions are met for granting such subsidies.

(2) An application for subsidies must be submitted for each calendar year for which subsidies are requested and before the end of that calendar year. If notification has been given under section 44(1) of the Local and Regional Government Elections Act (*lov om kommunale og regionale valg*) of the association or voters of that region who are entitled to apply for and receive subsidies on behalf of the list of candidates, the application must be signed by a representative of the said association or by one of the said voters. If no such notification has been given, an application on behalf of a list of candidates for a party which was entitled to participate in a general election as at 1 August of the most recent year of regional elections must be signed by a representative of the relevant party organisation. Applications from other lists of candidates who have not made such notification must be signed by the person specified in section 23a of the Local and Regional Government Elections Act or by another person entitled to act as a representative of the list of candidates.

(3) If notification has been given under section 44(1) of the Local and Regional Government Elections Act of the association or voters of that region who are entitled to apply for and receive subsidies on behalf of the list of candidates, subsidies are paid out to the said association or to the person who signed the application in pursuance of the second sentence of subsection (2) by making a deposit into the bank account stated in the application. If no such notification has been given, subsidies to a list of candidates for a party which was entitled to participate in a general election as at 1 August of the most recent year of regional elections are paid out by making a deposit into the bank account of the relevant party organisation stated in the application. Subsidies to other lists of candidates who have not made such notification are paid out to the person who signed the application in pursuance of the fourth sentence of subsection (2) by making a deposit into the bank account stated in the application.

9.-(1) Subsidies granted under section 3 are paid out for one calendar year. The first payment of subsidies is made for the calendar year following the calendar year of the regional elections and the last payment is made for the calendar year of the next regional elections.

(2) Subsidies for a calendar year are paid out as a lump sum, but see section 10(3), when the Regional Council has ascertained that the conditions for the payment of subsidies are met. Subsidies cannot be paid out prior to the relevant calendar year.

10.-(1) Subsidies granted under section 3 can be paid out only where the subsidy recipient expects to incur expenses in connection with political activities in the region in the relevant calendar year.

(2) Subsidies granted under section 3 can be paid out on the condition that the subsidy recipient has submitted a declaration to the Regional Council stipulating the minimum expenses expected to be spent on political activities in the region in the relevant calendar year. The declaration must be submitted before the end of the relevant calendar year. The second to fourth sentences of section 8(2) apply with the necessary modifications to the submission of such declaration.

(3) If the subsidies paid out under subsection (1) are lower than the subsidies payable under section 3, a supplementary application can be submitted in the relevant calendar year. Subsidies can be paid out on the basis of a supplementary application only to the extent specified in subsection (1) and on the condition that the subsidy recipient has submitted a supplementary



declaration as specified in subsection (2) to the Regional Council. The supplementary application and the supplementary declaration must be submitted before the end of the relevant calendar year. The second to fourth sentences of section 8(2) apply with the necessary modifications to the submission of such supplementary application and supplementary declaration.

10a.-(1) If a subsidy recipient has received subsidies under section 3 for one or more preceding calendar years, it follows from section 10(1) that the payment of the full subsidy amount for the current calendar year is subject to the condition that the expenses incurred in connection with political activities in the region in the most recent calendar year in which subsidies were received must correspond at least to the full subsidy amount for that calendar year. This requirement does not apply if the most recent calendar year in which subsidies were received precedes the calendar year of the previous regional elections.

(2) If the expenses incurred in connection with political activities in the region in the most recent calendar year as specified in subsection (1) correspond only in part to the full subsidy for that calendar year, an amount equal to the non-expended portion of the subsidy amount will be deducted before subsidies granted under section 3 for the current calendar year are paid out.

(3) If the subsidy recipient has received subsidies under section 3 for one or more preceding calendar years, the subsidies granted for the current calendar year can be paid out, except in very special circumstances, solely on the condition that the subsidy recipient has submitted a declaration to the Regional Council stipulating the minimum expenses incurred in connection with political activities in the region in the relevant most recent calendar year as specified in subsection (1). The declaration must be submitted before the end of the current calendar year. The second to fourth sentences of section 8(2) apply with the necessary modifications to the submission of such declaration.

10b.-(1) Subsidies granted under section 3 can be paid out on the condition that the subsidy recipient has submitted a declaration to the Regional Council stating whether the subsidy recipient, see also subsection (2), has received one or more donations from the same private donor exceeding a total of DKK 20,000 in the preceding calendar year. If that is the case, the donor's name and address must be disclosed. The declaration must also disclose the total amount of any anonymous donations as well as the total amount returned to the donor or transferred to an account with the Ministry of Social Affairs and the Interior, see section 2a of the Act on Private Contributions to Political Parties and the Publication of Annual Accounts of Political Parties (*lov om private bidrag til politiske partier og offentliggørelse af politiske partiers regnskaber*). The declaration must be submitted before the end of the calendar year for which subsidies are requested. The second to fourth sentences of section 8(2) apply with the necessary modifications to the submission of such declaration.

(2) If the subsidy recipient is the regional organisation of a party falling within the third sentence of section 8(2), the information specified in subsection (1) must extend to the other organisations of the party, including constituency organisations, in the relevant region, except for the municipal organisations of the party and any local party organisations in the relevant municipalities, see section 11d(2).

(3) It is also a condition for the payment of subsidies granted under section 3 that the subsidy recipient has submitted a declaration to the Regional Council stating whether candidates standing in the regional election on behalf of the subsidy recipient have received one or more donations from the same private donor exceeding a total of DKK 20,000. If that is the case, the donor's name and address must be disclosed, as must also the identity of the candidate receiving the donation. The declaration must also state the total amount of any anonymous donations received by the candidates standing in the regional election on behalf of the subsidy recipient. The declaration must cover all candidates standing in the regional election on behalf of the subsidy recipient, and the declaration must contain such information. The declaration must be submitted before the end of the calendar year for which subsidies are requested. The second to



fourth sentences of section 8(2) apply with the necessary modifications to the submission of such declaration.

(4) If the subsidy recipient is the regional organisation of a party falling within the third sentence of section 8(2), the information specified in subsection (3) must extend to all candidates standing in a general election on behalf of the subsidy recipient.

(5) If a candidate standing in a regional or general election on behalf of the subsidy recipient is also standing in a local election, the declaration under subsection (3) must include the donation(s) received by the candidate for the purpose of the local election.

(6) Candidates standing in a regional or general election, and possibly also in a local election on behalf of the subsidy recipient, see subsection (5), must, upon request from the subsidy recipient, report information on the donations received and subject to a requirement for submission of a declaration, see subsections (3) to (5), to the subsidy recipient within the period determined by the subsidy recipient.

(7) The Regional Council must upload to the website of the region within a reasonable period after receipt of the declarations submitted to the Regional Council under subsections (1) to (5).

Municipal funding

11.-(1) Lists of candidates wishing to receive subsidies under section 4 must submit an application for such subsidies to the Local Council, which will decide whether the conditions are met for granting such subsidies.

(2) An application for subsidies must be submitted for each calendar year for which subsidies are requested and before the end of that calendar year. If notification has been given under section 44(1) of the Local and Regional Government Elections Act (*lov om kommunale og regionale valg*) of the association or voters of that municipality who are entitled to apply for and receive subsidies on behalf of the list of candidates, the application must be signed by a representative of the said association or by one of the said voters. If no such notification has been given, an application on behalf of a list of candidates for a party which was entitled to participate in a general election as at 1 August of the most recent year of local elections must be signed by a representative of the relevant party organisation. Applications from other lists of candidates who have not made such notification must be signed by the person specified in section 23a of the Local and Regional Government Elections Act or by another person entitled to act as a representative of the list of candidates.

(3) If notification has been given under section 44(1) of the Local and Regional Government Elections Act of the association or voters of that municipality who are entitled to apply for and receive subsidies on behalf of the list of candidates, subsidies are paid out to the said association or to the person who signed the application in pursuance of the second sentence of subsection (2) by making a deposit into the bank account stated in the application. If no such notification has been given, subsidies to a list of candidates for a party which was entitled to participate in a general election as at 1 August of the most recent year of local elections are paid out by making a deposit into the bank account of the relevant party organisation stated in the application. Subsidies to other lists of candidates who have not made such notification are paid out to the person who signed the application in pursuance of the fourth sentence of subsection (2) by making a deposit into the bank account stated in the application.

11a.-(1) Subsidies granted under section 4 are paid out for one calendar year. The first payment of subsidies is made for the calendar year following the calendar year of the local elections and the last payment is made for the calendar year of the next local elections.

(2) Subsidies for a calendar year are paid out as a lump sum, but see section 11b(3), when the Local Council has ascertained that the conditions for the payment of subsidies are met. Subsidies cannot be paid out prior to the relevant calendar year.



11b.-(1) Subsidies granted under section 4 can be paid out only where the subsidy recipient expects to incur expenses in connection with political activities in the municipality in the relevant calendar year.

(2) Subsidies granted under section 4 can be paid out on the condition that the subsidy recipient has submitted a declaration to the Local Council stipulating the minimum expenses expected to be incurred in connection with political activities in the municipality in the relevant calendar year. The declaration must be submitted before the end of the relevant calendar year. The second to fourth sentences of section 11(2) apply with the necessary modifications to the submission of such declaration.

(3) If the subsidies paid out under subsection (1) are lower than the subsidies payable under section 4, a supplementary application can be submitted in the relevant calendar year. Subsidies can be paid out on the basis of a supplementary application only to the extent specified in subsection (1) and on the condition that the subsidy recipient has submitted a supplementary declaration as specified in subsection (2) to the Local Council. The supplementary application and the supplementary declaration must be submitted before the end of the relevant calendar year. The second to fourth sentences of section 11(2) apply with the necessary modifications to the submission of such supplementary application and supplementary declaration.

11c.-(1) If a subsidy recipient has received subsidies under section 4 for one or more preceding calendar years, it follows from section 11b(1) that the payment of the full subsidy amount for the current calendar year is subject to the condition that the expenses incurred in connection with political activities in the municipality in the most recent calendar year in which subsidies were received must correspond at least to the full subsidy amount for that calendar year. This requirement does not apply if the most recent calendar year in which subsidies were received precedes the calendar year of the previous local elections.

(2) If the expenses incurred in connection with political activities in the municipality in the calendar year specified in subsection (1) correspond only in part to the full subsidy amount for that calendar year, an amount equal to the non-expended portion of the subsidy amount will be deducted before subsidies granted under section 4 for the current calendar year are paid out.

(3) If the subsidy recipient has received subsidies under section 4 for one or more preceding calendar years, the subsidies granted for the current calendar year can be paid out, except in very special circumstances, solely on the condition that the subsidy recipient has submitted a declaration to the Local Council stipulating the minimum expenses incurred in connection with political activities in the municipality in the most recent calendar year as specified in subsection (1). The declaration must be submitted before the end of the current calendar year. The second to fourth sentences of section 11(2) apply with the necessary modifications to the submission of such declaration.

11d.-(1) Subsidies granted under section 4 can be paid out on the condition that the subsidy recipient has submitted a declaration to the Local Council stating whether the subsidy recipient, see also subsection (2), has received one or more donations from the same private donor exceeding a total of DKK 20,000 in the preceding calendar year. If that is the case, the donor's name and address must be disclosed. The declaration must also disclose the total amount of any anonymous donations as well as the total amount returned to the donor or transferred to an account with the Ministry of Social Affairs and the Interior, see section 2a of the Act on Private Contributions to Political Parties and the Publication of Annual Accounts of Political Parties (*lov om private bidrag til politiske partier og offentliggørelse af politiske partiers regnskaber*). The declaration must be submitted before the end of the calendar year for which subsidies are requested. The second to fourth sentences of section 11(2) apply with the necessary modifications to the submission of such declaration.

(2) If the subsidy recipient is the municipal organisation of a party falling within the third sentence of section 11(2), the information corresponding to the information specified in subsection (1) must extend to any local party organisations in the relevant municipalities.



(3) It is also a condition for the payment of subsidies granted under section 4 that the subsidy recipient has submitted a declaration to the Local Council stating whether candidates standing in a local election on behalf of the subsidy recipient have received one or more donations from the same private donor exceeding a total of DKK 20,000. If that is the case, the donor's name and address must be disclosed, as must also the identity of the candidate receiving the donation. The declaration must also state the total amount of any anonymous donations received by the candidates standing in the local election on behalf of the subsidy recipient. The declaration must cover all candidates standing in the local election on behalf of the subsidy recipient, and the declaration must contain such information. The declaration must be submitted before the end of the calendar year for which subsidies are requested. The second to fourth sentences of section 11(2) apply with the necessary modifications to the submission of such declaration.

(4) If a candidate standing in a local election on behalf of the subsidy recipient is also standing in a regional or general election, the declaration under subsection (3) must not include the donation(s) received by the candidate and subject to the reporting requirement under section 10b(3), as read with section 10b(5).

(5) Candidates standing in a local election on behalf of the subsidy recipient must, upon request from the subsidy recipient, report information on the donations received and subject to a requirement for submission of a declaration, see subsections (3) and (4), to the subsidy recipient within the period determined by the subsidy recipient.

(6) The Local Council must upload to the website of the local authority within a reasonable period after receipt the declarations submitted to the Local Council under subsections (1) to (4).

Appeals provision

12. Decisions taken under sections 8 to 11d can be appealed to the Minister for Social Affairs and the Interior.

Adjustment of amounts

12a.-(1) The amounts set out in section 2(1) and (2), section 3(1), section 4(1), section 7d(1), section 10b(1) and (3) and section 11d(1) and (3) will be adjusted each year on 1 January by 2.0 per cent with the addition or deduction of the salary change percentage for the relevant fiscal year as set out in the Rate Adjustment Percentage Act (*lov om en satsreguleringsprocent*). The amounts must be rounded up to the closest amount divisible by DKK 0,25. However, the amounts set out in section 7d(1), section 10b(1) and (3) and section 11d(1) and (3) must be rounded up to the closest amount divisible by DKK 100.

(2) Adjustments are made on the basis of the amounts applicable at the adjustment date before rounding.

(3) Each year, the Minister for Social Affairs and the Interior will issue an order specifying the adjustment to be made. The first adjustment will be made on 1 January 2018.

Other provisions

13. Payments made under this Act are not included in the taxable income.

14. The expenditure for subsidies granted under section 2 must be paid by the Treasury. The expenditure for subsidies granted under sections 3 and 4 must be paid by the regional and local authorities.

Penalty provisions

14a.-(1) Unless a more severe penalty is prescribed by other legislation, any person who makes a false declaration under section 7(2) or (3), section 7a(3), section 10(2) or (3), section



10a(3), section 11b(2) or (3) or section 11c(3) is sentenced to a fine or imprisonment for a term not exceeding four months.

(2) Any person who gives incorrect or incomplete information under section 7d(1), section 10b or section 11d is sentenced to a fine or imprisonment for a term not exceeding four months.

(3) Party organisations (legal persons) may incur criminal liability under Part 5 of the Criminal Code (*straffeloven*).

Commencement and transitional provisions

15.-(1) This Act comes into force on 1 January 1987.

(2) to (4) (Omitted)

16. Sections 3, 4 and 8 to 12 do not apply to the Faroe Islands and Greenland.