

Pursuant to the authority granted to the Board of Commissioners in Article 4, Paragraph 8, of the Independent High Electoral Commission (IHEC) amended Law 11 (2007), and the Coalition Authority Order no. (97) of 2004 and law no. (35) of 2007, law of the Republic of Iraq's accession to the UN Convention against the corruption, which entered into force in (2005); we decided to issue the following regulation:

**(Regulation no. (1) of (2013)  
(Organizing Expenditure on the Electoral  
Campaigns)**

**Article 1: Definitions of Terms**

The following terms mean:

1. **IHEC:** the Independent High Electoral Commission
2. **Board:** the Board of Commissioners (BoC)
3. **Constituency:** each specific area where a number of Seats has been allocated to it according to the provisions of the law.
4. **Electoral campaign:** the total legitimate means and activities implemented by the political entities, coalitions and candidates to influence on the voters and gain their trust for the purpose of voting for them.
5. **Electoral Spending:** the total cash and illiquid money which are spent by the entities and candidates during the campaign period.
6. **Electoral Expenditure Roof:** the maximum spending that allows to be spent on the electoral campaign.
7. **Cash Contributions:** the money that has been contributed in cash in the favor of entity or candidate during the electoral campaign period and shall be deposited in the account of electoral campaign.
8. **Illiquid money Contributions:** they are goods and services that have been contributed as illiquid money in the favor of entity or candidate during the electoral campaign, and

indicate what equivalent to them from values in the electoral campaign account.

9. **Electoral campaign account:** an account that opens in one of an accredited Iraqi bank and allocates to spend on the electoral campaigns exclusively.
10. **Financial Accountant:** a person who undertakes the process of collecting, tabulating and documenting of all the financial transactions of the entity and a candidate during the electoral campaign and develops the financial reports which are attached with the supported documents according to the provisions and instructions.
11. **Financial Reports:** the total financial data and statements declared by the entity and candidate which should be submitted according to the format set by the IHEC for the purpose of disclosure on the contributions and expenses of the electoral campaigns.
12. **Market price:** it is the general price of goods and services in the market.

## **(Article: two)**

### **(Organizing the electoral campaigns)**

1. Return to electoral campaign regulation no. ( ) of ( ) in all what related to organizing the provisions of electoral campaign except for what stated in this regulation.
2. The term of electoral spending set for the purposes of this regulation shall start from the date of launching the electoral campaigns until three days after the end of the regular voting day.
3. The electoral campaigns expenses of the candidate and entity must not exceed the maximum of the electoral expenditure roof according to article (3) of this regulation.

4. The IHEC and through the monitoring committees formed for this purpose shall monitor the violations related to the provisions of this regulation, through following up and documenting the items and costs of the electoral campaigns for the entities and candidates during the electoral campaign.

**(Article: 3)**  
**(Electoral Expenditure Roof)**

1. The electoral expenditure roof for a candidate shall consist of; an amount of (250,000) Iraqi dinars. This must be multiplied by the number of voters in the constituency.
2. The electoral expenditure roof for a PE shall consist of, an amount allocated to the candidate (under paragraph one of this article). This must be multiplied by the number of candidates for the PE list in the constituency.
3. The electoral expenditure roof for the closed list shall be calculated in accordance with the formula referred to paragraph two of this article and in accordance to the following equation:  $(250,000 \times \text{the number of voters in the constituency} \times \text{the number of candidates in the closed list of the entity})$ .
4. The candidate may spend on his\ her campaign from his\her private money. Money that belongs to the candidate husband or any of the assets or branches is considered as private money. All the expenses which expend from the private money are subject to the electoral expenditure roof.
5. It is prohibited to give any contribution in the electoral campaign to a PE or a candidate from non Iraqis citizens or any foreign people.

6. The services provided by individuals voluntarily to the entity or candidate don't consider as a contribution for the purpose of this regulation.

7. The electoral expenses, for example, are limited to what follows:

- Renting the electoral offices and its expenses.
- Amounts paid to employees who work in the electoral campaign.
- Expenses of printing, publishing, distributing and posting of the billboards and pictures.
- Developing and printing the manuals, pamphlets, brochures and other printed materials, as well as disseminating the messages by internet or Mobile phones.
- Amounts paid for organizing meeting, seminars conferences and festivals and other related electoral activities.
- Amounts paid to transport the voters and employees who work in the electoral campaign.
- Amounts paid for the printed, audio and visual advertisements.

#### **(Article: 4)**

##### **(Electoral campaign account)**

1. A PE must open a special account for the electoral expenditure, in each constituency where the elections taking place.
2. Open electoral campaign account in one of an accredited Iraqi bank.
3. Receiving all contributions and paying all electoral expenses must be done exclusively by this account during the electoral campaign period.
4. The IHEC shall request bank statement of the campaign account or any other documents relating

to this account during or after the completion of electoral campaign.

5. Total cash and illiquid money Contributions must not exceed the electoral expenditure roof specified according to article three of this regulation.
6. Deposit and withdrawal process in the bank account is subject to the electoral campaign in accordance with the applicable legal laws.

### **(Article: 5)** **(Financial accountant)**

1. A PE shall appoint a financial account who undertakes organizing all the financial affairs relating to the electoral campaign, recording and organizing all the financial transactions, as well as developing the financial reports.
2. A financial accountant shouldn't be nominated for the elections.

### **(Article: 6)** **(Financial reports)**

1. PEs and candidates must submit their financial reports during seven days after the polling day. reports should include what follows:
  - Total cash and illiquid Contributions entered in the electoral campaign account.
  - Total expenditures disbursed from the electoral campaign account.
  - Financial statement developed for the electoral campaign account.
2. The final financial reports shall be submitted to the IHEC during 30 days of the announcement of results, provided that these reports must include the following:

- Details of the illiquid contributions and expenditures entered in the electoral campaign account.
- Details of the expenditures disbursed from the electoral campaign account.
- Final banking statement developed for the electoral campaign account (closing the electoral campaign account).
- All the supported documents of the contributions and electoral expenses.

3. The financial reports shall be enhanced with the signatures of the authorized person of political entity and the financial accountant.

4. The IHEC shall develop a sample of the financial report in accordance with the valid laws.

5. The IHEC shall publish the financial report on its website or any other publication medium in order to be available for everyone.

## **Article: 7**

### **(Irregularities of penalties)**

1. The following acts are considered legal irregularities of the provisions of this regulation:
  - a. The Entity or Candidate doesn't submit an (initial or final) report on a timely manner specified in article 6 of this regulation.
  - b. The financial report doesn't meet the required form requested by the IHEC or doesn't contain the requested data.
  - c. It is proved that all or some of the documents attached to the report are incorrect or false.

- d. It is proved that the financial accountant is nominated as a candidate in elections.
- e. The entity or candidate is exceeded the electoral expenditure roof.

## **2. Penalties:**

If it is proved that a political entity or candidate has committed a legal irregularity or violation of the provisions of this regulation, the IHEC shall impose one or more of the following penalties:

- Impose a fine on the political entity that commits a violation according to paragraph (a) of (1) an amount of (1,000,000) one million dinars for each day of delay for the legal period stated thereby.
- Impose a fine of (1,000,000) million dinars, on the political entity that commits a violation in accordance with paragraph (b) of the (1).
- Impose a fine of (5,000,000) five million dinars on the political entity that commits a violation in accordance with paragraph (c) of the (1), if the data is incorrect, however, if the documents were false, the financial accountant would be sent to the court.
- Impose a fine on the political entity that commits a violation in accordance with paragraph (d) of (1), an amount of (10,000,000) ten million dinars.
- Impose a fine on the political entity that commits a violation in accordance with paragraph (e) of (1), an amount of (50,000,000) fifty million dinars.

**3.** Impose the penalties above do not prevent the IHEC from requesting to send the violator to the specialized courts if the act included an electoral crime and according to the valid laws.

### **(Validity of Regulation)**

This regulation considers valid starts from the date of its ratification by the Board of Commissioners on 30 July 2013 and applies on the Iraqi Parliamentary elections in 2014.

***Board of Commissioners***

**(Objectives of Regulation)**

1. Creating equal opportunities for competition between the entities and candidates in the elections.
2. Fulfilling the transparency in collecting and spending the money in the electoral campaign.
3. Prohibiting illegitimate sources to fund the electoral campaigns.
4. Preventing vote-buying and monopolizing the electoral process and disrupting the elections and political life.