



Број на Службен весник: /

Датум на објава на Службен весник: /

Број на одлука на Уставен суд (У.бр.): /

## LAW ON ASSOCIATIONS AND FOUNDATIONS

("Official Gazette of the Republic of Macedonia" No. 52/10, 135/11 and 55/16)

### I. GENERAL PROVISIONS

#### 1. Subject of the law

##### Article 1

This Law shall regulate the manner, conditions and procedure for establishing, registration and termination of associations, foundations, unions, organizational forms of foreign organizations in the Republic of Macedonia, the property they have at their disposal, the supervision, the status changes and the status of the organizations of public interest.

##### Article 2

The provisions of this Law shall not apply to political parties, churches, religious communities and religious groups, trade unions, chambers and other types of associations regulated by special laws.

#### 2. Meaning of the terms used in this law

##### Article 3

The separate terms used in this Law shall have the following meaning:

1. "Organization" means any association, foundation, union, as well as any organizational form of a foreign organization, as well as another form of association registered in accordance with the provisions of this Law;

2. "Activity" means an activity classified according to the national classification of activities whereby the organizations fulfil their objectives defined by the statute;

3. "Establishment act" means the act whereby the organization is founded;

4. "Property" of an organization are all proprietary and other real rights that the organization acquires over the movable and immovable items and the rights that the founders have invested in the organization and which the organization has acquired in its operations;

5. "Statute" means an act regulating the activity, organizational structure and functioning of the organization;

6. "Status changes" means the acquisition, merger and division of the organization in a manner and under the conditions determined by this Law;

7. "Other acts" means acts that regulate the relations which are not regulated by the establishment act or by the statute (rulebook, decision, rules of procedure, programme and other acts);

8. "Supervisory Authority" means the authority (supervisory board, audit commission or controller) the activities of which are related to the supervision of the organization's operations;

9. "Property estate" means money, goods and/or rights which the founder submits and transfers to the foundation in the founding procedure;

10. "Representative" means a person or body in the organization (association representative, director of a foundation, or body designated by statute) whose rights, authorizations and responsibilities are related to the management of the organization and the representation of the organization in accordance with the law;

11. "Adopting decision without attendance" means the manner whereby the members of the bodies state their opinions without holding a meeting of the body or without the presence of a member of the body, through a telephone conference, signing of the act, or otherwise regulated by the statute of the organization;

12. "Certified statement/consent" means an act the signature of which is certified by a notary public;

13. "Person" means any natural or legal person, unless it is stated that it is a natural person, or a legal person;

14. "Foreign organization", in the meaning of this Law, is a foreign or international association, foundation or other form of organization established for the accomplishment of a common goal that is not for gaining profit and it is established in accordance with the legal system of a foreign country;

15. "Foreign natural person" means a person who has a place of residence or stay in the Republic of Macedonia;

16. "Public benefit status organization" means an organization that has acquired the status of an organization of public interest in accordance with this Law;

17. "Conflict of interests" means a conflict of authorizations and duties with regard to the operation of the organization with the private interest of the person having authorizations and duties in which the private interest affects or may affect the exercise of the authorizations and duties relating to the operations of the organization and

18. "Objective" of an organization is a projected outcome or condition that an organization should achieve.

### 3. Right to association

#### Article 4

(1) The right to free association shall be exercised by association in associations, foundations, unions and organizational forms of foreign organizations (hereinafter referred to as: organizations) for the achievement of their goals, activities and protection of rights, interests and beliefs in accordance with the Constitution and the law.

(2) The establishment of an organization shall be prohibited if its programme and activities are aimed at violent destruction of the constitutional order of the Republic of Macedonia, incitement and calling for military aggression and incitement to national, racial or religious hatred or intolerance, if it undertakes activities related to terrorism, if it undertakes activities which are contrary to the Constitution or the law and violate the freedoms and rights of others.

### 4. Association of organizations

#### Article 5

(1) Two or several organizations may associate in a union or other form of association, which may acquire the capacity of a legal entity, by registration in accordance with this Law.

(2) Organizations may be members of international organizations or otherwise cooperate with them.

(3) Organizations that unite in a union or other form of association, with the association do not lose the status of a legal entity.

### 5. Acquiring a status of a legal entity (legal subjectivity)

#### Article 6

(1) The organizations acquire the status of a legal entity with the entry in the register kept by the Central Register of the Republic of Macedonia (hereinafter referred to as: the Register).

(2) Associations and foundations can not be transformed into other types of legal entities.

#### 6. Time period of the activity of the organization and facilitation

#### Article 7

(1) If the organization's act of establishment, i.e. the statute of the organization does not specify the organization's duration, it is considered that the organization was founded for an indefinite period of time.

(2) The organizations shall have tax and customs facilitation in accordance with the Law.

#### 7. Name of the organization

#### Article 8

(1) Any organization registered according to the provisions of this Law shall have a name and abbreviated name if it is provided by the statute and is registered in the Register.

(2) The name and abbreviated name of the organization are clearly distinguished from the names of the other organizations that are registered in the Register.

(3) The name of:

- the association contains the word association or another expression with a similar meaning defined by the statute of the association,

- the union contains the word union or another expression with a similar meaning defined by the statute of the union and

- the foundation contains the word foundation or another expression with a similar meaning defined by the statute of the foundation.

(4) Regarding the name issues that are not regulated by this Law, the provisions of the law regulating the name of a company shall be applied.

#### 8. Use of the word "Macedonia" or a name of a unit of local self-government

#### Article 9

(1) The word "Macedonia" and the words derived from it, as well as its abbreviations may be contained in the name of the organization only with the approval of the Ministry of Justice.

(2) If the name of the organization contains words with the name of the municipality, that is, the City of Skopje, the approval shall be given by the competent body of the municipality, the municipalities in the City of Skopje and the City of Skopje.

## II. BASIC PRINCIPLES

### 1. Independence

#### Article 10

The organizations are independent in the management, determination and achievement of the goals and activities defined by their statute in accordance with the Constitution and the law.

### 2. Publicity and transparency

#### Article 11

(1) The work of the organization is public.

(2) The publicity of the organization's operations shall be achieved through transparent disclosure of the statutes and other acts of the organization in accordance with the statute of the organization.

### 3. Non-profit

#### Article 12

(1) Organizations can not be established for gaining profit.

(2) Organizations may perform activities whereby they can gain profit, if the activity is related to the goals determined by the statute.

(3) If profits are realized in the operations of the organizations, they must be used for the achievement of the goals determined by the statute.

(4) The realized profit referred to in paragraph (3) of this Article may not be distributed among the founders, members, members of the bodies, directors, employees or any other related person.

### 4. Non-Party action

#### Article 13

(1) The organizations can not perform activities of a political party, that is, they can not provide direct or indirect financing to a particular political party and influence the elections.

(2) The influence of elections in the meaning of paragraph 1 of this Article shall mean the participation of the organizations in the elections and election campaign for a particular political party and direct or indirect financing of the election campaign of the political party.

## 5. Initiatives in the public life

### Article 14

The organizations can freely express and promote their views and opinions on issues of their interest, they can initiate and participate in building of the public opinion and policy making.

## III. ASSOCIATIONS

### 1. Founders

#### Article 15

(1) An association may be established by natural and legal persons.

(2) An association may be established by at least five founders, out of whom three of the founders must have a place of residence or stay, or headquarters in the territory of the Republic of Macedonia.

(3) A citizen association may be established by minors at the age of 15 years, through a statement of consent for the establishment of an association by their legal representative, for the purposes for which the association is founded in accordance with the law.

### 2. Establishment

#### Article 16

(1) The association shall be established at a founding assembly.

(2) At the founding assembly an establishment act, programme, statute shall be adopted and the bodies of the association shall be elected.

### 3. Establishment Act

#### Article 17

(1) The establishment act of the association shall contain the following:

- name, headquarters and address of the association,
- name, address or registered office and unique identification number of the founders of the association;
- goals of the association.

(2) The establishment act or its part may be changed if the will of the founders has been pronounced for that during the registration process.

#### 4. Statute and content of the statute

##### Article 18

(1) The association has a statute.

(2) The statute of the association shall regulate the following:

- name and headquarters,
- the goals of the association,
- the activities whereby the goals are achieved,
- the manner of deciding on membership, exclusion and termination of membership in the association,
- the rights, obligations and responsibilities of the members,
- the type of bodies and their composition, the manner of appointment and dismissal, the duration of the term of office of the members in the bodies and the manner of deciding,
- representation by law,
- the manner of acquiring and disposing of assets,
- the manner of adopting financial and other reports,
- the manner of realization of publicity and accountability in the work,
- the manner of adopting, amending and supplementing the statute,
- the manner of deciding on status changes and termination of the association,
- the manner of adopting plans and programmes,
- treatment of assets and/or property in case of termination of the association; and
- other issues determined by law.

(3) The statute of the association may also regulate:

- the sign and the symbol of the association,
- internal organizational forms (subsidiaries, branches, etc.), if any,

- the manner of adoption of other acts,
- conflict of interests,
- the manner of resolving disputable issues and
- other issues of importance for the operation of the association.

## 5. Membership in an association

### Article 19

- (1) The membership in the association is on a voluntary basis.
- (2) The founders are members of the association with equal rights and responsibilities, as well as other members of the association.
- (3) A natural person may be a member of the association, regardless of his/her age, in accordance with the statute.
- (4) A minor under the age of 14 shall become a member of the association by giving a signed statement of consent of his/her legal representative for membership in the organization in accordance with the law.
- (5) Persons with limited business capacity or persons who have been deprived of their business capacity may be members of the association by giving a signed statement of consent of their legal representative for membership in the organization in accordance with the law.

## 6. Register of members

### Article 20

- (1) The association shall keep a register of members and records of the members of the bodies.
- (2) The data referred to in paragraph (1) of this Article shall be updated at least once every two years.
- (3) The associations shall guarantee the anonymity of the personal data of the members who requested it.
- (4) The data referred to in paragraph (1) of this Article shall be protected in accordance with the regulations for protection of personal data and classified information.

## 7. Management of the association

### Article 21



The association shall be managed by its members directly or through elected representatives in the bodies of the association.

## 8. Assembly of the association

### Article 22

(1) The Assembly is the highest body of the association and consists of all members.

(2) The Statute may determine the manner of representation of the members of the association in the assembly of the association, through their elected representatives.

## 9. The competence of the assembly

### Article 23

The assembly shall:

- adopt a statute, programme and other acts,
- adopt an annual work and financial report and publish it on its website,
- submit a financial report to the competent body of the state administration, that is. to the body of the municipalities, the municipalities in the city of Skopje and the City of Skopje in cases when it uses funds from the Budget of the Republic of Macedonia, that is, the budgets of the units of local self-government,
- decide to change the purpose of the association,
- decide on the internal organization and organizational forms of the bodies of the association,
- elect and dismiss members of the bodies,
- decide on the status changes of the association,
- decide on the termination of the association by a two-thirds majority vote of all members of the association; and
- perform other activities in accordance with the statute and the acts of the association.

## 10. Work at the assembly

### Article 24

(1) The Assembly works in sessions.

(2) The Assembly, as a rule, shall hold a session at least once a year, and with the statute of the association, a term shorter than one year may be determined for holding a meeting.

(3) An extraordinary session of the Assembly may be held upon a written request by one third of the members of the association.

(4) The extraordinary session of the Assembly referred to in paragraph (3) of this Article shall be held no later than 30 days from the day of submitting the request for holding a session.

(5) The manner of convening the Assembly, the operation and adopting decisions and adopting decisions without attendance, are regulated by the statute of the association.

#### 11. Representative of the association

##### Article 25

(1) The association has one or more persons authorized to represent the association (hereinafter referred to as: a representative) elected, that is, appointed in the manner determined by the statute.

(2) A representative of the association may be a natural person with a business capacity who has a place of residence or stay on the territory of the Republic of Macedonia in accordance with the law.

(3) The rights and obligations shall be performed by the representative of the association in accordance with the law, statute and acts of the association.

#### 12. Other bodies of the association

##### Article 26

Other bodies of the association can also be envisaged with the statute of the association.

### IV. FOUNDATIONS

#### 1. Establishment

##### Article 27

(1) The foundation is a legal entity established for the purpose of realizing a goal by the acquisition and management of property and assets in accordance with this Law.

(2) The foundation shall be established with a property mass that shall be at least EUR10,000 in Denar equivalent according to the middle exchange rate of the National Bank of the Republic of Macedonia, expressed in money, securities or other assets on the day of filing the act for registration in the Register.

(3) If the registration of the foundation is determined by a will, and it is not registered within 60 days, the property mass is distributed in accordance with the law.

#### 2. Founders of the Foundation

##### Article 28

(1) The Foundation shall be established by one or more founders.

(2) Natural and legal persons may be founders of the foundation.

(3) The foundation shall be established by an establishment act or as a last will declared by a testament or a legate.

### 3. Establishment Act

#### Article 29

(1) The establishment act of the foundation shall contain:

- name and seat of the foundation,
- name, address or seat and unique personal identification number of the citizen or unique identification number of the founder of the foundation,
- objectives of the foundation and
- the amount of the property mass establishing the foundation expressed in money for each founder separately.

(2) The establishment act may contain other provisions regarding the founding and operation of the foundation, as well as the right of the founder to decide on changing the purpose, the name, the manner of enactment and amendment of the statute and the termination of the foundation.

(3) The establishment act shall be signed by the founders.

### 4. Participation in the management

#### Article 30

The manner of participation of the founder in the management of the foundation shall be governed by the statute of the foundation.

### 5. Statute and content of the statute

#### Article 31

(1) The Foundation has a statute.

(2) The statute shall regulate:

- the name and headquarters of the foundation,
- the objectives of the foundation,
- the activity by which the objectives of the foundation are realized,
- the internal organization, the type and composition of the bodies, the competencies, the manner of election and dismissal of the members of the bodies, the duration of the term of office of the members of the bodies and the manner of adopting decisions,
- the legal representation,
- the manner of acquiring and disposing of assets,

- the manner of drawing up business, financial and other reports,
- the manner of realization of publicity and transparency in the operation,
- the manner of adopting, amending and supplementing the statute,
- the manner of deciding on status changes and termination of the foundation,
- the treatment of the foundation funds in case of termination of the foundation,
- the manner of adopting plans and programmes; and
- other issues determined by law.

(3) The statute of the foundation may also regulate:

- the sign and the symbol of the foundation,
- the internal organizational forms of the foundation (subsidiaries, branches, etc.), if the foundation has any,
- the manner of adoption of other acts,
- conflict of interests and
- other issues of importance for the operation and manner of resolving the disputed issues of the foundation.

## 6. Person responsible for approval of the statute

### Article 32

(1) The Statute shall be drafted and approved in accordance with the founders, unless otherwise determined by the establishment act.

(2) If the foundation is established with a statement in accordance with Article 28 paragraph (3) of this Law, the statute shall be compiled by the executor of the will, that is the legate, unless otherwise determined by the last statement of will.

## 7. Bodies of the foundation

### Article 33

(1) The Foundation has a Board and a Director.

(2) Other bodies may also be envisaged by the statute of the foundation.

## 8. Board of the foundation

### Article 34

(1) The board is the highest management body of the foundation.

(2) When establishing the foundation, the founder appoints the board of the foundation, unless otherwise stipulated by the establishment act or statute.

(3) The Board of the foundation shall operate in a manner determined by the statute of the foundation.

## 9. Competence of the board

### Article 35

(1) The Board of the foundation shall:

- adopt a statute, programme and other acts;

- adopt an annual work report and financial report and publish it on its website,

- submit a financial report to the competent body of the state administration, that is, the body of the municipalities, the municipalities in the City of Skopje and the City of Skopje, in cases when it uses funds from the Budget of the Republic of Macedonia, that is, the budgets of the units of local self-government,

- decide to change the purpose of the foundation,

- decide on the internal organization and organizational forms of the foundation,

- elect and dismiss members of the bodies,

- decide on status changes to the foundation,

- decide on the termination of the foundation and

- perform other activities in accordance with the statute and the acts of the foundation.

(2) The foundation board shall have the rights referred to in paragraph (1) of this Article, if the founder did not withhold these rights for himself/herself by the establishment act or the statute of the foundation.

## 10. Management of the foundation

## Article 36

- (1) The foundation is managed by a director.
- (2) The foundation may have one or more directors authorized to represent the foundation, elected in a manner determined by the statute.
- (3) A director may be a business capable natural person who has a place of residence or stay on the territory of the Republic of Macedonia.
- (4) The Director shall perform his/her rights, obligations and responsibilities in accordance with this Law, the statute and the acts of the foundation.

## V. ORGANIZATIONAL FORMS OF FOREIGN ORGANIZATIONS

### 1. Foreign person and foreign organizations

#### Article 37

- (1) Foreign persons may also be founders and members of an organization in accordance with this Law.
- (2) The persons referred to in paragraph (1) of this Article shall have the same rights and obligations as the domestic entities, unless otherwise stipulated by law.

### 2. Foreign organization

#### Article 38

- (1) Foreign organizations may act in the Republic of Macedonia through a subsidiary, office or other organizational form of foreign organizations that have their seat on the territory of the Republic of Macedonia.
- (2) In the Republic of Macedonia, foreign organizations shall operate in accordance with the provisions of this Law, unless otherwise stipulated by a ratified international agreement.

### 3. Establishment Act

#### Article 39

- (1) The organizational forms of foreign organizations shall be established by an act of the foreign organization for its establishment in the Republic of Macedonia.
- (2) The act referred to in paragraph (1) of this Article shall contain:

- name and seat of the foreign organization which establishes an organizational form,
- the purpose of the foreign organization and the purpose of the organizational form of the foreign organization and
- name and seat of the organizational form of the foreign organization.

(3) The act referred to in paragraph (1) of this Article shall be signed by an authorized person of the foreign organization and verified before a notary public.

## VI. REGISTRATION

### 1. Registers

#### Article 40

(1) The register shall keep:

- register of associations and register of unions,
- register of foundations and
- register of organizational forms of foreign organizations.

(2) The registers referred to in paragraph (1) of this Article shall be kept as the only central electronic database that shall be published on the website of the Register and recorded in the Register of other legal entities.

(3) The form, content and manner of recording and keeping the registers from paragraph (1) of this Article shall be prescribed by the Minister of Justice.

### 2. Content of the registers

#### Article 41

(1) The registers shall record:

- the full name of the organization and the abbreviated name if any,
- the seat,
- the establishment act,
- date of establishment,
- name, surname and unique personal identification number of the citizen and the unique identification number of the founders,

- date of adoption or amending and supplementing of the statute,
- the estimated time for which the organization is founded,
- goals and activities,
- name, surname and unique personal identification number of the legal representative,
- data on organizational units (subsidiaries, office, etc.),
- data on the status of an organization of public interest,
- data on status changes,
- data on bankruptcy and liquidation,
- a note on the initiation of a procedure for prohibition of performing an activity,
- termination of work and
- number and date of the decision for registration, change of data and decision for deleting the registration in the appropriate register referred to in Article 40 paragraph (1) of this Law.

(2) For the foundations, in addition to the data referred to in paragraph (1) of this Article, the initial property mass shall also be registered.

(3) For organizational forms of foreign organizations, the following shall also be recorded:

- the state in which the foreign organization was registered and the headquarters of the organization in that country, and
- the name of the organizational form and type of foreign organization in accordance with the regulations of the country in which the foreign organization was registered.

(4) For organizations with public benefit status, the name, surname and unique identification number of the members of the supervisory body shall be recorded.

### 3. Registration in the Register

#### Article 42

(1) The registration in the Register shall be made by an application for registration which is submitted, directly, by mail or in electronic form, within 30 days from the day of the enactment of the establishment act, that is, the decision of the foreign organization for establishing the organizational form of the foreign organization in the Republic of Macedonia.

(2) The application for registration shall be submitted by the representative.



(3) In the application referred to in paragraph (1) of this Article, the representative referred to in paragraph (2) of this Article shall indicate the manner in which he/she will communicate with the institution, that is, whether he/she will communicate verbally, in writing or in electronic form.

(4) For the registration referred to in paragraph (1) of this Article, in the Register, the associations and foundations shall submit:

- an establishment act,
- a statute,
- programme of action,
- decision on the election of the bodies and data on the members of the bodies,
- decision on the election of a representative by law with his/her data,
- Minutes of the founding assembly or establishment report, and
- a statement certified by a notary public signed by the representative confirming that the performance of the activity is in accordance with the law and that the conditions for registration have been fulfilled.

(5) For the registration in the Register of the organizational form of the foreign organization along with the application the following shall be submitted:

- a certified photocopy of the establishment act of the foreign organization and a certified translation for registration in the foreign country in which it was established or another document confirming that the organization can act,
- a certified photocopy of the decision and a certified translation of the decision of the competent body for establishment of the organizational form in the Republic of Macedonia,
- photocopy and certified translation of the statute or another appropriate act,
- programme for action in the Republic of Macedonia,
- certified decision and translation on the selection of bodies with personal data of persons who are members of the bodies,
- a certified translation of the decision and the decision on the election of a legal representative with personal data, a certified photocopy of the document for identification of that person and a document for regulated stay or residence in the Republic of Macedonia; and
- certified translation of the decision for a person authorized by the legal representative for registration of the organizational form of the foreign organization in the Republic of Macedonia.

#### 4. Decision on entry

## Article 43

- (1) The register shall be obliged, within a period of five days from the day of submitting the application for registration, to adopt a decision for entry in the appropriate register referred to in Article 40 paragraph (1) of this Law.
- (2) The decision for registration in the appropriate register referred to in Article 40 paragraph (1) of this Law shall be submitted to the applicant within three days from the day the decision was adopted.
- (3) A copy of the statute stamped with the seal of the Register shall be submitted along with the decision for registration in the Register.
- (4) The organization acquires the status of a legal entity with the registration in the appropriate register referred to in Article 40 paragraph (1) of this Law.

## Article 43-a

If the register with a decision rejects the request for issuing a decision or does not adopt a decision for rejecting the request within the deadline determined in Article 43 paragraph 1 of this Law, the applicant shall have the right to appeal within 15 days from the day of receipt on the decision of the Register, that is, after the expiration of the deadline referred to in Article 43 paragraph (1) of this Law to the State Commission for Adopting Decisions in Administrative Procedure and Labour Relations Procedure in the second instance.

Article 43-b has been deleted.

## 5. Addition and rejection

### Article 44

- (1) If the Register determines that the application for registration in the appropriate register referred to in Article 40 paragraph (1) of this Law is not in accordance with Article 42 of this Law, it shall refer an indication to the applicant and shall set a deadline of 30 days in which the applicant is obliged to act upon the indication.
- (2) If the applicant for the registration does not act upon the indication within the specified deadline, the Register shall reject the application for registration in the appropriate register referred to in Article 40 paragraph (1) of this Law by means of a decision.

## 6. Right to appeal

## Article 45

Against the decision of the Register that rejected the application for registration in the appropriate register referred to in Article 40 paragraph (1) of this Law, the organization has the right to appeal to the Commission for Complaints established by the Law on the One Stop Shop System and for keeping the trade register and register of other legal persons, within 15 days from the receipt of the decision.

### 7. Record for changing data

## Article 46

(1) The organizations that have changed the data that are entered in the appropriate register referred to in Article 40 paragraph (1) of this Law shall be obliged, within 30 days from the day of the changes made, to submit an application, directly, by mail or in electronic form to the Register for the purpose of recording the changes.

(2) An application for the changes made shall be submitted by the representative.

(3) In the application referred to in paragraph (1) of this Article, the representative referred to in paragraph (2) of this Article shall indicate the manner in which he/she will communicate with the institution, or whether he/she will communicate verbally, in writing or in electronic form.

(4) In order to record the changes in the data in the appropriate register referred to in Article 40, paragraph (1) of this Law, the provisions for entry determined by this Law shall apply.

### 8. Publicity of the register

## Article 47

The data in the appropriate register referred to in Article 40 paragraph (1) of this Law shall be public and shall be published on the website of the Register.

## VII. WORKING ASSETS OF THE ORGANIZATIONS

### 1. Sources of funding

## Article 48

Organizations acquire their funds from membership fees, founding deposits, voluntary contributions, donations, gifts (in money, goods, property rights), legacies, legates, activities gaining profits, rent and lease, as well as income from investments, dividends, interest, loans and other income in accordance with the law and the statute.

### 2. Funds from the budgets

## Article 49

- (1) The organizations may receive funds from the Budget of the Republic of Macedonia, the budgets of the municipalities, the municipalities in the City of Skopje and the City of Skopje.
- (2) The Government of the Republic of Macedonia and the councils of the municipalities, the councils of the municipalities in the City of Skopje and the Council of the City of Skopje shall closely regulate the conditions for allocation and use of the funds referred to in paragraph (1) of this Article.
- (3) The Government of the Republic of Macedonia, that is, the competent bodies of the state administration and the municipalities, the municipalities in the City of Skopje and the City of Skopje, shall adopt annual plans and programmes for allocation of the funds referred to in paragraph (1) of this Article.
- (4) The bodies of the state administration, the municipalities, the municipalities in the City of Skopje and the City of Skopje shall publish on their website the organizations that received the funds referred to in paragraph (1) of this Article, as well as the objectives of the organizations for which they received those funds.
- (5) The organizations that have received the funds referred to in paragraph (1) of this Article shall submit a business and financial report to the competent body of the state administration, that is, the body of the municipalities, the municipalities in the City of Skopje and the City of Skopje in cases when they use funds from the Budget of the Republic of Macedonia , that is, the budgets of the units of local self-government.
- (6) Tax and customs relief can not be applied to the assets that the organization has used contrary to Articles 12 and 13 of this Law.

## 3. Use of funds

### Article 50

- (1) The financial assets of the organizations shall be used for achieving the goals of the organization determined by the statute and the programme.
- (2) The members of the bodies of the organizations and their representatives are obliged by law to manage and work with care and in accordance with the principles of good governance, in the interest of the organization, and above the personal interests, that is, in the interest of achieving the goals, in accordance with the law and the statute.
- (3) Funds of the organization can not be paid to the members, founders, members of the bodies, representatives, employees or persons associated with them, except in cases when a member of the organization is a user of the services of the organization in accordance with the goals determined by the statute and programme of the organization.

(4) The work in the bodies of the organizations is, as a rule, voluntary, and the members of the bodies of the organizations can receive a compensation for travel and daily expenses, as well as compensation for performing activities in the bodies of the organization in accordance with the law.

(5) Employees are entitled to salary and allowances in accordance with law and the collective agreement.

#### 4. Responsibility for the obligations

##### Article 51

(1) Organizations shall be responsible for their obligations with their entire property and assets.

(2) The members of the bodies of the organizations are responsible personally and unlimitedly for their obligations to the organization, for misusing the funds of the organization, for achieving goals that are forbidden to them as individuals or for misusing the organization as a legal entity in order to harm their creditors.

#### 5. Liability for damage

##### Article 52

(1) The members of the bodies of the organizations and their legal representatives shall be jointly liable for the harm of the organization caused by their work, if it is caused with gross negligence or with the intent to cause harm, except in cases when in the decision-making they have separated their opinion in the minutes or if they did not participate in the decision-making process.

(2) The request for compensation for damages shall be submitted by the body determined by the statute or the highest ranking body, unless the statute has a body designated.

#### 6. Work reports

##### Article 53

(1) The organizations are obliged to publish their annual work reports by posting them on their website or in another manner.

(2) The organizations are obliged to prepare an annual financial report, submit it to the competent authority in accordance with the law and publish it on their website or in another appropriate manner, make it available to the public.

(3) The organizations shall be obliged to publish the reports for the previous year, referred to in paragraphs (1) and (2) of this Article, by 30 April at the latest.

#### 7. Disposing of funds in case of termination

##### Article 54

(1) In case of termination of the work of the organization, the funds that remain after settlement of the obligations shall be used in the manner determined by the statute.

(2) If the statute does not stipulate the recipient of the funds that remain after settlement of the obligations referred to in paragraph (1) of this Article, such funds shall be transferred to the municipality, the municipalities in the City of Skopje and the City of Skopje in the territory of which the organization has its seat.

(3) In case of termination of the organization with a status of public interest, the funds shall be transferred to another organization with a status of public interest with the same or similar purpose of action or the municipality in the area where the organization has its seat, wherefore the provider of the funds shall decide.

## 8. Transfer of funds in the event of a ban of operation

### Article 55

When a decision by a competent court prohibits the work of the organization, the organization's property is transferred to the municipality, the municipalities in the City of Skopje and the City of Skopje on the territory of which the organization has its seat.

## VIII. SUPERVISION

### 1. Supervisory body

#### Article 56

(1) Organizations may have a supervisory body.

(2) The supervisory body monitors the application of the statute and the programme, takes care of the work and property of the organization and performs other activities in a manner determined by the statute.

### 2. Competence for performing inspection

#### Article 57

(1) The members of the organization shall inspect the work of the bodies of the organizations.

(2) If the members of the organization or the members of the bodies of the organization find out about irregularities in the application of the statute, or in the financial operation, they may request removal of the irregularity from the body determined by the statute, that is, the highest body if the statute does not appoint another body.

### 3. Supervision

#### Article 58

The Ministry of Justice shall supervise the legality of the application of the provisions of this Law.

## IX. STATUS CHANGES

### 1. Notion and type of status changes

#### Article 59

The status change shall mean the acquisition, merger and division of the organization performed on the basis of a decision adopted by the body in accordance with this Law and the statute.

### 2. Merging of the organization

#### Article 60

(1) The merger is the transfer of the rights and obligations of an organization (an organization that is merged) to another organization (an organization which takes over), on the basis of a decision and an agreement for merger.

(2) The agreement for merger shall contain the names and headquarters of the organizations, the manner of transferring the assets of the organization that is being merged with a description of the rights and obligations that are transferred.

(3) The merger of one or more organizations to another shall be recorded in the Central Register.

(4) Regarding the registration of the merger, the provisions for entry in the register set forth in this Law shall be applied accordingly.

(5) Along with the application for registration the decisions of the organizations participating in the merger for the acceptance of the concluded agreements for merger, in the original text, the agreement for merger and the decision for entry in the register of the organizations that are being merged shall also be submitted.

(6) With the entry of the merger into the register, the organization that is to be incorporated ceases to exist.

### 3. Merging of organizations

#### Article 61

(1) The merger is the establishment of a new organization to which all rights and obligations of two or more merging organizations are transferred.

(2) By the merger the organizations that have merged cease to exist, and the newly established organization is considered to be a new organization.

(3) The provisions for establishing an organization in accordance with this Law shall be applied accordingly for the new organization.

#### 4. Division of organizations

##### Article 62

(1) The organization can be divided into two or more organizations.

(2) The decision on division of the organization shall have a legal effect of an establishment act.

(3) The divided organization shall cease to exist, and in the procedure for registration of the newly created organizations the provisions for registration in accordance with this Law shall apply.

(4) The organizations formed with the division on the date of their registration in the Register shall be jointly liable for the obligations of the divided organization.

(5) The division balance shall also be submitted with the application for registration in the Register.

## X. TERMINATION AND PROHIBITION OF THE ORGANIZATION

### 1. Termination of the organization

#### Article 63

(1) The organization ceases to exist in the event that:

- a decision has been adopted for the cessation of its existence in accordance with the statute,
- twice as much time has passed than the time stipulated for holding a meeting of the highest body determined by the statute, and a meeting has not been held,
- in two consecutive years no final account has been submitted in accordance with the law,
- the time determined by the statute has expired, when the establishment of the organization is for a certain period of time,
- there is a status change that foresees the cessation of existence,
- a decision has been adopted by a competent court,
- bankruptcy and
- liquidation has been implemented.

(2) The organization may also cease to exist if the number of members of the organization is reduced below the number defined for establishment.



## 2. Initiating a procedure for termination of the organization

### Article 64

- (1) The decision on termination of the organization on the basis of Article 63 paragraph (1) indents 2, 3 and 4 and paragraph (2) of this Law shall be adopted by the competent court on the proposal of the representative by law, the members of the bodies or the members, in cases no decision has been adopted for the cessation of existence by the body determined by the statute.
- (2) The procedure for termination of the organization before the competent court shall be conducted in accordance with the provisions of the Law on Litigation Procedure.
- (3) For the termination of the organization, the court shall ex-officio notify the Register.

## 3. Prohibition of the organization's operation

### Article 65

The operation of the organization shall be forbidden provided that:

- its action is directed towards violent destruction of the constitutional order of the Republic of Macedonia,
- it performs encouraging and promoting of military aggression and causing of national, racial or religious hatred or intolerance,
- it performs terrorism-related activities,
- it undertakes activities that are contrary to the Constitution or the law and
- it violates the freedoms and rights of others.

## 4. Initiating a procedure to ban the operation of organizations

### Article 66

- (1) Anyone can submit an initiative for ban of the operation of the organizations before the competent public prosecutor.
- (2) If the competent basic public prosecutor according to the headquarters of the organization ex officio or based on a submitted initiative assesses that there are reasons for banning the operation of the organization in accordance with this Law, he/she shall submit a proposal to the competent court.
- (3) The prohibition procedure is urgent.

## 5. Right to appeal

### Article 67

- (1) Against the decision of the Basic Court for prohibition of the operation of the organization, an appeal may be submitted to the competent Appellate Court within 15 days from the day of receipt of the decision.
- (2) The Basic Court shall submit the appeal to the Appellate Court within three days from the date of receipt of the appeal.
- (3) The Appellate Court shall decide upon the appeal within eight days from the day of receipt of the appeal.

## 6. Liquidation

### Article 68

- (1) The liquidation of an organization is carried out when the organization has sufficient financial means to cover its obligations, however a decision has been adopted (an act) for the cessation of its existence by the body determined by the statute.
- (2) For the issues of liquidation procedure that are not regulated by this Law, the provisions of the law regulating the issues of liquidation of trade companies shall apply.
- (3) The liquidation procedure is urgent.

## 7. Managing an organization in liquidation

### Article 69

- (1) The liquidation of the organization shall be managed by a liquidator.
- (2) The liquidator shall be appointed in a manner regulated by the statute of the organization or determined by the decision on the cessation of the existence of the organization.
- (3) The appointment of the liquidator shall terminate the authorizations of the bodies and the representative.
- (4) The representation shall be transferred to the liquidator on the day of the initiation of the liquidation procedure.
- (5) The decision for termination by liquidation and for appointment of a liquidator shall be submitted to the Register within three days from the day of its adoption.
- (6) The data on the liquidator shall be recorded in the Register, and in the name of the organization an "under liquidation" mark shall be noted.

## 8. Shortened liquidation procedure

### Article 70

(1) The organization may terminate upon a shortened liquidation procedure, if upon the decision on termination of existence by the body determined by the statute most members of the assembly or the representatives of the foundation and the foreign organization submit to the Register a certified statement in accordance with the law that all obligations towards creditors and employees of the organization were settled.

(2) The persons referred to in paragraph (1) of this Article shall be jointly liable for the obligations of the organization within three years from the date of its deletion from the Register.

(3) The organization that terminates upon a shortened procedure shall be deleted from the Register, and the names and the place of residence of the persons referred to in paragraph (1) of this Article shall be entered, indicating their joint liability for the obligations of the organization.

## 9. Procedure upon conducted liquidation and bankruptcy

### Article 71

(1) The liquidator shall act with the funds that remain after settlement of obligations, in accordance with this Law and the statute of the organization.

(2) After the transfer of the funds to the recipient, the liquidator shall submit a request for deleting from the Register, and along with it he/she shall submit a report on the liquidation or bankruptcy and a statement that all funds are divided in accordance with the law and the statute.

(3) The procedure for bankruptcy of the organizations shall be conducted in accordance with the law.

## 10. Deleting from the Register

### Article 72

(1) The organization shall be deleted from the Register on the basis of completed liquidation or bankruptcy.

(2) By deleting from the Register, the organization ceases to exist as a legal entity.

## XI. PUBLIC BENEFIT STATUS OF AN ORGANIZATION

### 1. The term of public benefit status

#### Article 73

Organizations may acquire a public benefit status if they perform activities of public interest, implement programmes and projects at central and/or local level, independently or in cooperation with the state administration bodies and municipal bodies, the municipalities in the City of Skopje and the City Skopje, as well as using funds for the realization of the activities.

## 2. Activities of public interest Article 74

Activities of public interest are:

- development of democracy, civil society and human rights,
- assistance and protection of persons with physical or mental disabilities, persons with disabilities and persons with special needs,
- protection of children and youth,
- protection of marginalized persons and their social inclusion,
- protection against drug abuse, sexually transmitted diseases, juvenile delinquency, alcoholism, prostitution and trafficking in human beings,
- health, health promotion and medical care,
- art, culture and protection of cultural heritage,
- amateur sport,
- protection of the environment and sustainable development,
- local and infrastructure development,
- science, education and training in the educational process,
- development of ethics and morality,
- humanitarian and social assistance, poverty reduction,
- dealing with natural disasters,
- protection and care of animals,
- consumer protection,
- promotion of charity and volunteering and
- another activity of public interest determined by this or by another law.

## 3. Criteria for public interest Article 75

The association or foundation shall acquire the status of a public benefit organization provided that:

- it has been registered in accordance with the provisions of this Law,
- the activity of public interest is the main income code in its operation,
- its operation and activity is directed towards the general public and to the interests of the community,
- it has the necessary organizational structure in accordance with this Law,
- there are personnel capacities required for an activity in accordance with the law,
- it has adequate financial resources, that is, total value of the property or annual income of minimum EUR 1,500 in Denar counter-value according to the exchange rate of the National Bank of the Republic of Macedonia,
- it has prescribed rules for conflict of interests and for ensuring transparency and publicity in its operation and
- it is not in bankruptcy or liquidation and its bank account has not been blocked.

## 4. Request

## Article 76

(1) The association or foundation submits a request for obtaining the status of a public benefit organization directly, by mail or electronically, to the Commission for organizations with public benefit status. The request shall indicate the manner in which it wishes to communicate with the Commission, or whether it will communicate verbally, in writing or in electronic form.

(2) For the acquisition of the status of a public benefit organization, the following evidence is required:

- a decision for registration in the Register,
- a statute,
- work programme for the current year,
- description of the activity of public interest defined in the statute and the activities whereby it is implemented,
- recommendation from the organizations or institutions with which they cooperated,
- description of the organizational structure,
- description of the personnel capacity required for an activity in accordance with the law,
- statement of conflict of interest from the representative,
- information on the economic and financial situation of the organization,
- final account if the association or foundation has completed a single fiscal cycle,
- confirmation that no liquidation procedure has been initiated and
- confirmation that a legally valid decision has not imposed a security measure - a ban on performing an activity.

(3) The authorized official from the Ministry of Justice who manages the procedure shall be obliged to request the evidence referred to in paragraph (2) indents 1, 11 and 12 within three days from the day of receipt of the request referred to in paragraph 2 of this Article of this Article from the competent public authority.

(4) The authorized official person from the competent public authority from which the evidence referred to in paragraph (3) of this Article is requested is obliged to submit the requested evidence within three days from the day of receipt of the request.

(5) The public benefit status is not transferable to the organizations created by means of status changes.

## 5. Supervisory body

### Article 77

- (1) The public benefit organization has a supervisory body.
- (2) The supervisory body shall:
  - monitor the implementation of the organization's statute and programme,
  - take care of the work and property of the organization,
  - control the manner of operation of the management body,
  - submit a report to the assembly of the association, that is, the board of the foundation and the body from which the public authorizations have been transferred at least once a year for the financial and accounting operations,
  - review the annual financial statement and other acts of the organization and
  - perform other activities determined by law and the statute.

## 6. Incompatibility of functions

### Article 78

- (1) The members of the supervisory body can not be members of other bodies the operation of which they supervise.
- (2) The employees in the organization can not be members of the supervisory body.

## 7. Determination of organizations with public benefit status

### Article 79

- (1) The status of public benefit organizations shall be determined by the Government of the Republic of Macedonia upon proposal of the Commission for organizations with public benefit status (hereinafter referred to as: the Commission).
- (2) The Commission referred to in paragraph (1) of this Article shall be established by the Government of the Republic of Macedonia.
- (3) The Commission shall be composed of a president and ten members, of whom one representative from the Ministry of Finance, the Ministry of Justice, the Ministry of Labour and Social Policy, the Ministry of Culture, the Ministry of Health, the Ministry of Education and Science, the Ministry of

Environment and Spatial Planning, the Ministry of Local Self-Government, the Agency for Youth and Sport, as well as two representatives of organizations registered in accordance with this law.

(4) The manner and criteria for election, as well as the reasons for the cessation of the performance of the work of the president and the members of the Commission referred to in paragraph (3) of this Article shall be regulated by the Minister of Justice by a bylaw.

(5) The term of office of the President and the members of the Commission shall be four years.

## 8. Competencies of the Commission

### Article 80

(1) The Commission shall perform the following activities:

- gives proposals for awarding and terminating the status of a public benefit organization,
- reviews and gives opinions on business and financial reports on the work of organizations with public benefit status,
- proposes initiation of a misdemeanour procedure and
- establishes the annual report on its work for the previous year.

(2) The Commission shall adopt Rules of Procedure for its work.

(3) The Commission shall publish the report referred to in paragraph (1) indent 4 on its website.

## 9. Administrative and technical activities

### Article 81

(1) The administrative and technical activities of the Commission shall be performed by the General Secretariat of the Government of the Republic of Macedonia.

(2) The General Secretariat of the Government of the Republic of Macedonia - the Organizational Unit for Cooperation with Civil Society Organizations shall:

- prepare proposals for granting the status of a public benefit organization upon a request submitted by the organizations,
- provide professional and technical assistance to the Commission in the implementation of its activities,
- prepare the Commission's sessions,

- review reports submitted by organizations with public benefit status and prepares a proposal to the Commission for actions on these reports,
- answer questions asked by organizations with public benefit status and other interested persons,
- provide information and advice on legal issues pertaining to organizations with public benefit status,
- submit a decision for granting and revoking a public benefit status to the Central Register,
- maintain an electronic database of the Commission's operation and information on registered organizations with public benefit status,
- monitor the work of organizations with public benefit status,
- publish the list of associations and foundations that have been awarded the status of a public benefit organization for the previous year, and
- perform other activities determined by this and another law.

## 10. Procedure for obtaining the status of a public benefit organization

### Article 82

- (1) The request for obtaining the status of a public benefit organization shall be submitted to the Government of the Republic of Macedonia through the Commission.
- (2) If it is established that the request is not complete, the Commission shall invite the applicant and shall give him/her a term of 15 work days to act upon the indication.
- (3) If within the deadline referred to in paragraph (2) of this Article the association or foundation fails to act upon the indication, the request shall be deemed not to have been submitted.

## 11. Right to a lawsuit

### Article 83

- (1) The Government of the Republic of Macedonia shall adopt a decision within 30 days from the day of the submission of the request.
- (2) An administrative dispute may be initiated against the decision of the Government of the Republic of Macedonia.



(3) The Administrative Court shall decide upon the complaint within 30 days from the date of receipt of the complaint.

## 12. Changes noted in the Register

### Article 84

If the organizations change the establishment act or statute, thereby losing the status of association and foundation of public interest, or other changes noted in the Register, they shall be obliged to inform the Commission within 30 days upon the performed change.

## 13. Reports

### Article 85

(1) The organization with a public benefit status shall be obliged to submit a business and financial report, approved by the body determined by the statute, for its work to the Government of the Republic of Macedonia for adoption, no later than 30 April of the current year for the previous year.

(2) The template for the form and the contents of the reports referred to in paragraph (1) of this Article shall be prescribed by the Minister of Finance.

## 14. Audit

### Article 86

(1) The association or foundation with public benefit status the annual budget of which is over EUR 20,000 in Denar counter- value according to the middle exchange rate of the National Bank of the Republic of Macedonia shall be obliged to carry out an independent annual audit of its financial operations and, if it has a budget exceeding EUR 100,000 in Denar equivalent according to the middle exchange rate of the National Bank of the Republic of Macedonia it shall be obliged to carry out an audit in accordance with the international accounting standards.

(2) The audit report referred to in paragraph (1) of this Article shall be submitted along with the report referred to in Article 77, paragraph (2), indent 4 of this Law, at least once a year.

## 15. Publicity of reports

### Article 87

The reports referred to in Articles 85 and 86 of this Law shall be public and shall be published on the website of the organization with public benefit status by 30 April of the current year for the previous year.

## 16. Benefits

### Article 88

Organizations with a public benefit status, besides the tax and customs benefits determined in Article 7 paragraph (2) of this Law, shall have additional tax and customs facilitation in accordance with the law.

## 17. Termination of a public benefit status

### Article 89

(1) The status of a public benefit organization shall cease:

- at the request of the association or foundation,
- when it ceases to fulfil the conditions necessary for obtaining the status of a public benefit organization,
- if it does not establish a supervisory board and does not act in accordance with the statute,
- if it does not submit a report within the deadlines determined by this Law,
- if it does not submit an audit report within the deadlines determined in accordance with this Law and
- with its operation it not reflect the public interest for which it has acquired the status.

(2) The Government shall adopt a decision on the termination of the status of the public benefit organization. The organization shall be notified of the remarks in relation to paragraph (1) indents 2, 3, 4 and 5 of this Article and a deadline of 30 days for their removal shall be determined. If the organization does not remove the remarks within the stated deadline, a decision for termination shall be adopted.

(3) The Commission shall adopt a decision on the termination of the public benefit status.

(4) A complaint may be lodged against the decision referred to in paragraph (2) of this Article to the Administrative Court within 30 days from the date of receipt of the decision.

(5) Public benefit organizations the status of public benefit organizations of which has ceased to exist shall be obliged, within 30 days, to submit to the Commission a report on the period from the last report to the moment of the termination of the status.

## XII. PUBLIC AUTHORIZATIONS

### Article 90

(1) The organizations may be entrusted with performing a public authorization by delegating competencies from a state administrative body, a body of municipalities, municipalities in the City of Skopje and the City of Skopje and other bodies with public authorizations, in accordance with the law.

(2) The public authorization referred to in paragraph (1) of this Article shall be entrusted on the basis of a programme of the organization in a manner and procedure for entrusting the performance of the public authorization, upon a public call in the media.

(3) The criteria, manner and procedure for entrusting the performance of the public authorization shall be determined by a law in the relevant field.

(4) The performance of the public authorization for the organizations may be revoked due to abuse or failure to perform the entrusted authorization in a manner and procedure determined by law.

### XIII. MISDEMEANOR PROVISIONS

#### Article 91

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization performing an activity that is not in accordance with its goals determined by the statute from Articles 18 and 31 of this Law.

#### Article 92

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization that does not use the name in the legal operation, which is registered in the Register in accordance with Article 41 of this Law.

#### Article 93

(1) A fine in the amount of EUR 300 to 3,000 in Denar counter-value shall be imposed for a misdemeanour if the representative does not submit an application to the Register for registering changes in the deadline of 30 days specified in Article 46 of this Law.

(2) A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed on the organization for the misdemeanour referred to in paragraph (1) of this Article.

#### Article 94

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization that does not use the assets of the organization in accordance with Article 50 of this Law.

#### Article 95

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization that does not publish the reports on the financial operations in accordance with Article 53 of this Law.

#### Article 95-a

(1) A fine in the amount of 25 to 50 Euros in Denar counter-value shall be imposed for a misdemeanour committed by an authorized official from the Ministry of Justice if he/she does not seek the evidence ex officio within the deadline determined in Article 76 paragraph (3) of this Law.

(2) A fine in the amount of 25 to 50 Euros in Denar counter-value shall be imposed for a misdemeanour on the authorized official person from the competent public authority from whom evidence was requested if he/she does not submit the required evidence within the deadline specified in Article 76 paragraph (4) of this law.

(3) For misdemeanours referred to in paragraphs (1), (2) of this Article, a misdemeanour procedure shall be conducted and a misdemeanour sanction shall be pronounced by a competent court.

#### Article 96

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization that will not inform the Commission of the changes referred to in Article 84 of this Law.

#### Article 97

(1) A fine in the amount of EUR 300 to 3,000 in Denar counter-value shall be imposed for a misdemeanour on the responsible person in the organization with a public benefit status if he/she fails to submit a narrative and financial report in accordance with Article 85 of this Law.

(2) A fine in the amount of EUR 200 to 300 in Denar counter-value shall also be imposed on the organization for the misdemeanour referred to in paragraph (1) of this Article.

#### Article 98

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization with a public benefit status if it fails to perform an annual audit of its financial operations and fails to submit a report in accordance with Article 86 of this Law.

#### Article 99

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization with a public benefit status if it fails to publish the reports in accordance with Article 87 of this Law.

#### Article 100

A fine in the amount of EUR 200 to 300 in Denar counter-value shall be imposed for a misdemeanour on the organization with a public benefit status if it does not submit a report to the Commission within 30 days in accordance with Article 89 paragraph (4) of this Law.

#### Article 101

Prior to submitting the request for initiation of a misdemeanour procedure, the party which has committed the misdemeanour shall be offered a settlement by the Ministry of Finance as a competent body for controlling the financial operations of the organizations.

### XIV. TRANSITIONAL AND FINAL PROVISIONS

#### Article 102

Within six months from the day of entry into force of this Law, the bylaws determined by this Law shall be adopted.

#### Article 103

The initiated procedures for registration of the organizations started until the day of entry into force of this Law shall be completed according to the provisions of this Law.

#### Article 104

(1) The organizations shall within a period of one year from the day of entry into force of this Law harmonize the acts with this Law and perform re-registration in the Register.

(2) For organizations that have been registered in the Register, the re-registration within one year from the day of entry into force of this Law shall be performed without payment of a fee or other type of compensation.

#### Article 105

The property and the funds allocated to social organizations and associations of citizens obtained for use by former socio-political communities and self-governing interest communities are state property.

#### Article 106

(1) Civil society associations as legal successors of social organizations and associations shall use the state-owned property under lease, if used for the purposes and tasks of the association of citizens in accordance with the law.

(2) The property referred to in paragraph (1) of this Article may not be subject to lease by the lessee - the organization.

(3) Civil society associations as legal successors of social organizations and associations established for humanitarian purposes shall use the state-owned property under lease free of charge, if it is used for the purposes and tasks of the citizens' association.

(4) The relationship between the association of citizens and the state shall be regulated by an agreement in accordance with the law.

(5) The lease agreement on behalf of the state shall be concluded by the state administration body determined by law.

#### Article 107

Within three months from the date of entry into force of this Law, the Commission referred to in Article 79 paragraph (2) of this Law shall be established.

#### Article 108

On the day of entry into force of this Law, the Register shall be obliged to harmonize the keeping of the registries determined in Article 40 paragraph (1) of this Law.

#### Article 109

(1) On the day of entry into force of this Law, the Law on Citizens' Associations and Foundations ("Official Gazette of the Republic of Macedonia" No. 31/98 and 29/2007) shall cease to be valid.

(2) The initiated procedures until the day of the commencement of the application of this Law shall be completed in accordance with the law based whereupon they were initiated.

#### Article 110

This Law shall enter into force on the eighth day from the date of its publication in the "Official Gazette of the Republic of Macedonia", except for the provisions of Chapter XI. Status of public benefit organizations that shall start to apply six months from the date of its entry into force.